

115TH CONGRESS
2D SESSION

S. 724

AN ACT

To amend the Federal Power Act to modernize authorizations for necessary hydropower approvals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MODERNIZING AUTHORIZATIONS FOR NEC-**
2 **CESSARY HYDROPOWER APPROVALS.**

3 (a) PRELIMINARY PERMITS.—Section 5 of the Fed-
4 eral Power Act (16 U.S.C. 798) is amended—

5 (1) in subsection (a), by striking “three” and
6 inserting “4”; and

7 (2) in subsection (b)—

8 (A) by striking “Commission may extend
9 the period of a preliminary permit once for not
10 more than 2 additional years beyond the 3
11 years” and inserting the following: “Commis-
12 sion may—

13 “(1) extend the period of a preliminary permit
14 once for not more than 4 additional years beyond
15 the 4 years”;

16 (B) by striking the period at the end and
17 inserting “; and”; and

18 (C) by adding at the end the following:

19 “(2) after the end of an extension period grant-
20 ed under paragraph (1), issue an additional permit
21 to the permittee if the Commission determines that
22 there are extraordinary circumstances that warrant
23 the issuance of the additional permit.”.

24 (b) TIME LIMIT FOR CONSTRUCTION OF PROJECT
25 WORKS.—Section 13 of the Federal Power Act (16 U.S.C.
26 806) is amended in the second sentence by striking “once

1 but not longer than two additional years” and inserting
2 “for not more than 8 additional years,”.

3 (c) OBLIGATION FOR PAYMENT OF ANNUAL
4 CHARGES.—Any obligation of a licensee or exemptee for
5 the payment of annual charges under section 10(e) of the
6 Federal Power Act (16 U.S.C. 803(e)) for a project that
7 has not commenced construction as of the date of enact-
8 ment of this Act shall commence not earlier than the latest
9 of—

10 (1) the date by which the licensee or exemptee
11 is required to commence construction; or

12 (2) the date of any extension of the deadline
13 under paragraph (1).

Passed the Senate June 28, 2018.

Attest:

Secretary.

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