

115TH CONGRESS  
2D SESSION

# S. 724

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## 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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