

108TH CONGRESS
1ST SESSION

H. R. 529

To reinstate and transfer a hydroelectric license under the Federal Power Act to permit the immediate redevelopment of a hydroelectric project located in the State of New York, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 2003

Mr. SWEENEY introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To reinstate and transfer a hydroelectric license under the Federal Power Act to permit the immediate redevelopment of a hydroelectric project located in the State of New York, and for other purposes.

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

3 **SECTION 1. FINDINGS.**

4 The Congress finds that it is in the public interest
5 to have reinstated by the Federal Energy Regulatory Com-
6 mission (“FERC”) the hydroelectric license for Project
7 No. 2696 and to have FERC transfer the license to the

1 Town of Stuyvesant, New York, in order to utilize the hy-
2 draulic potential of waters of the United States.

3 **SEC. 2. REINSTATEMENT AND TRANSFER.**

4 (a) REINSTATEMENT AND TRANSFER OF FEDERAL
5 LICENSE FOR PROJECT NUMBERED 2696.—Notwith-
6 standing section 8 of the Federal Power Act (16 U.S.C.
7 801) or any other provision of such Act, the Federal En-
8 ergy Regulatory Commission (“FERC”) is directed to re-
9 instate the license for Project No. 2696 and to transfer
10 the license, without delay or the institution of any pro-
11 ceedings, to the Town of Stuyvesant, New York, holder
12 of Federal Energy Regulatory Commission Preliminary
13 Permit No. 11787, within 30 days of enactment of this
14 Act.

15 (b) HYDROELECTRIC INCENTIVES.—Project No.
16 2696 shall be entitled to the full benefit of any legislation
17 passed by Congress that promotes hydroelectric develop-
18 ment within 2 years either before or after this Act’s effec-
19 tive date.

20 (c) PROJECT DEVELOPMENT AND FINANCING.—The
21 Federal Energy Regulatory Commission (“FERC”) shall
22 permit the town to add as a co-licensee any private or pub-
23 lic entity or entities to the reinstated license at any time,
24 notwithstanding the issuance of a preliminary permit to
25 the Town of Stuyvesant and any consideration of munic-

1 ipal preference. The town shall be entitled, to the extent
2 that funds are available or shall be made available, to re-
3 ceive loans under sections 402 and 403 of the Public Util-
4 ity Regulatory Policies Act of 1978 (16 U.S.C. 2702 and
5 2703), or similar programs, for the reimbursement of fea-
6 sibility studies, or development costs, or both, incurred
7 since January 1, 2001, through and including December
8 31, 2006. All power produced by the project shall be
9 deemed incremental hydropower for purpose of qualifying
10 for any energy credit or similar benefits.

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