

109TH CONGRESS
1ST SESSION

H. R. 4391

To authorize the President to provide disaster assistance for the repair, restoration, reconstruction, or replacement of a privately-owned power transmission facility damaged or destroyed by Hurricane Katrina or Hurricane Rita.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2005

Mr. YOUNG of Alaska (for himself, Mr. SHUSTER, Mr. BAKER, Mr. BOUSTANY, Mr. JINDAL, Mr. JEFFERSON, Mr. MELANCON, and Mr. PICKERING) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To authorize the President to provide disaster assistance for the repair, restoration, reconstruction, or replacement of a privately-owned power transmission facility damaged or destroyed by Hurricane Katrina or Hurricane Rita.

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. DISASTER ASSISTANCE FOR PRIVATELY-**
2 **OWNED POWER TRANSMISSION FACILITIES**
3 **DAMAGED OR DESTROYED BY HURRICANE**
4 **KATRINA OR HURRICANE RITA.**

5 (a) IN GENERAL.—Subject to the requirements of
6 this section, the President may make contributions under
7 section 406 of the Robert T. Stafford Disaster Relief and
8 Emergency Assistance Act (42 U.S.C. 5172) to a person
9 that owns or operates a power transmission facility for the
10 costs of repair, restoration, reconstruction, or replacement
11 of those portions of the facility damaged or destroyed by
12 Hurricane Katrina or Hurricane Rita and associated ex-
13 penses incurred by such person.

14 (b) ELIGIBILITY FOR CONTRIBUTIONS.—A person
15 that owns or operates a power transmission facility shall
16 be eligible for contributions under this section if—

17 (1) as a result of Hurricane Katrina or Hurri-
18 cane Rita the facility suffered an outage during
19 which the facility was not able to provide service to
20 more than 25 percent of the customers of the facility
21 or was not able to provide service over more than 25
22 percent of the transmission miles of the facility; and

23 (2) the total of the costs of repair, restoration,
24 reconstruction, and replacement of all power trans-
25 mission facilities owned or operated by such person
26 that were damaged or destroyed by Hurricane

1 Katrina and Hurricane Rita and associated expenses
2 exceed \$50,000,000.

3 (c) LIMITATIONS ON CONTRIBUTIONS.—Repair, res-
4 toration, reconstruction, and replacement costs of a person
5 that owns or operates one or more power transmission fa-
6 cilities and associated expenses shall be eligible for con-
7 tributions under subsection (a) only to the extent that the
8 total of such costs and expenses exceed \$50,000,000 and
9 such person does not receive funds from an insurer for
10 such costs and expenses.

11 (d) FEDERAL SHARE.—The President shall credit to-
12 ward the non-Federal share of the costs of repair, restora-
13 tion, reconstruction, or replacement of a power trans-
14 mission facility and associated expenses under this section
15 all amounts incurred in connection with such costs and
16 expenses by the person that owns or operates the facility,
17 including the first \$50,000,000 of such costs and ex-
18 penses.

19 (e) POWER TRANSMISSION FACILITY DEFINED.—In
20 this section, the term “power transmission facility” means
21 a privately-owned electric transmission or distribution fa-
22 cility obligated under State law to provide electricity serv-
23 ice to retail customers and a privately-owned natural gas
24 transmission or distribution facility. Such term includes
25 leased facilities.

1 (f) APPROVAL OR DISAPPROVAL OF APPLICATIONS.—

2 The President shall approve or disapprove an application
3 for assistance submitted by a person under this section
4 not later than 30 days after the date of receipt of the ap-
5 plication.

6 (g) FUNDING.—Amounts appropriated for providing
7 disaster relief under the Robert T. Stafford Disaster Re-
8 lief and Emergency Assistance Act (42 U.S.C. 5121 et
9 seq.) shall be available to carry out this section, including
10 amounts appropriated before the date of enactment of this
11 Act.

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