

111TH CONGRESS
2D SESSION

H. R. 5352

To require hydroelectric energy generated in Alaska to be considered as renewable energy for purposes of Federal programs and standards.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2010

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require hydroelectric energy generated in Alaska to be considered as renewable energy for purposes of Federal programs and standards.

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. SHORT TITLE.**

4 This Act may be cited as the “The Alaska Clean En-
5 ergy Development Act”.

6 **SEC. 2. HYDROELECTRIC ENERGY AS RENEWABLE ENERGY.**

7 Notwithstanding any other provision of law or regula-
8 tion, for purposes of any Federal program or standard,

1 renewable energy shall include hydroelectric energy gen-
 2 erated in the State of Alaska by a hydroelectric facility—

3 (1) that has a nameplate capacity rating of a
 4 wattage that is less than 50 megawatts; or

5 (2) through the use of—

6 (A) a lake tap or siphon;

7 (B) pumped storage; or

8 (C) a run of the river system.

9 **SEC. 3. ADDITIONAL HYDROELECTRIC FACILITIES ELIGI-**
 10 **BLE FOR THE CREDIT FOR ELECTRICITY**
 11 **GENERATED FROM RENEWABLE RESOURCES.**

12 (a) IN GENERAL.—Subparagraph (A) of section
 13 45(c)(8) of the Internal Revenue Code of 1986 (defining
 14 qualified hydropower production) is amended by striking
 15 “and” at the end of clause (i), by striking the period at
 16 the end of clause (ii) and inserting “, and”, and by adding
 17 at the end the following new clause:

18 “(iii) hydropower production from a
 19 hydroelectric facility described in subpara-
 20 graph (D).”.

21 (b) ELIGIBLE PRODUCTION.—Paragraph (8) of sec-
 22 tion 45(c) of such Code is amended by adding at the end
 23 the following new subparagraph:

24 “(D) OTHER HYDROPOWER PRODUCTION
 25 FACILITIES.—A hydroelectric facility is de-

scribed in this subparagraph if the hydroelectric facility generates power in the State of Alaska and—

“(i) has a nameplate capacity rating of a wattage that is less than 50 megawatts, or

“(ii) generates the power through the use of—

“(I) a lake tap or siphon;

“(II) pumped storage; or

“(III) a run of the river system.”.

(c) QUALIFIED FACILITIES.—Paragraph (9) of section 45(d) of such Code is amended by redesignating subparagraph (C) as subparagraph (D), by striking “and” at the end of subparagraph (A), and by striking subparagraph (B) and inserting the following new subparagraphs:

“(B) any facility which is not described in subparagraph (A) or (C) and which is placed in service after August 8, 2005, and before January 1, 2014, and

“(C) any facility which is described in subsection (c)(8)(D) and which is placed in service after the date of the enactment of this subparagraph.”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years ending after the
3 date of the enactment of this Act.

