

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, H.R. 951, introduced by the gentlewoman from North Carolina (Ms. FOXX), the distinguished chair of the Education and the Workforce Committee, authorizes the Federal Energy Regulatory Commission, FERC, to extend up to 6 years the time period during which construction must commence on the W. Kerr Scott Hydropower Project located on the Yadkin River in Wilkes County, North Carolina. Additionally, FERC may reinstate the construction license if it is expired.

A similar bill was passed under suspension in the last Congress, and I hope that we can pass it again today, urging the Senate to take this legislation up.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the legislation before us, sponsored by the gentlewoman from North Carolina, would authorize FERC to extend for 6 years the date by which the licensee for the W. Kerr Scott Hydropower Project is required to commence construction. This is necessary because the project's licensee was not able to commence construction by the already-extended deadline of July 17, 2016.

Similar legislation authored by Ms. FOXX passed the House during the 114th Congress by a vote of 406-3. I hope my colleagues will support this bill, and I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I thank my colleague from Michigan (Mr. UPTON).

I rise in support of H.R. 951, a bill I authored to extend the license authorizing the Wilkesboro Hydroelectric Company's construction of its hydropower project at W. Kerr Scott Dam.

The project has required exhaustive coordination with the U.S. Army Corps of Engineers, and there have been delays in the review process for the design plans. As the Wilkesboro Hydroelectric Company takes steps to comply with statutory mandates and requirements by Federal regulators, the shot clock for action on breaking ground dwindles. As has often happened with these projects, delays in the review process and coordination efforts precluded the start of construction.

I ask my colleagues to support a new authorization for this project, along with the other projects the House is considering today. Furthermore, I ap-

plaud Representative MCMORRIS RODGERS and the House Energy and Commerce Committee for working on comprehensive reform legislation to address the statutory framework and FERC processes pertaining to these projects.

I am a proud supporter of our Nation's renewable energy resources. Congress should optimize the use of our Nation's clean, renewable hydropower potential by bringing regulatory and permitting certainty to the process.

Given North Carolina's growth and demand for electricity, my State needs Congress to explore every opportunity to meet our energy demands, provide for job growth, and sustain our environment. As chair of the Education and the Workforce Committee, I will work tirelessly with the other committees in the House and the Trump administration to achieve this.

I thank Chairman WALDEN, Majority Leader MCCARTHY, and former Chairman UPTON for bringing this important legislation to the floor.

Ms. DEGETTE. Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, this is important legislation, and I would like to think that we can pass it again this afternoon.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 951.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL POWER ACT AMENDMENT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1109) to amend section 203 of the Federal Power Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARIFICATION OF FACILITY MERGER AUTHORIZATION.

Section 203(a)(1)(B) of the Federal Power Act (16 U.S.C. 824b(a)(1)(B)) is amended by striking "such facilities or any part thereof" and inserting "such facilities, or any part thereof, of a value in excess of \$10,000,000".

SEC. 2. NOTIFICATION FOR CERTAIN TRANSACTIONS.

Section 203(a) of the Federal Power Act (16 U.S.C. 824b(a)) is amended by adding at the end the following new paragraph:

"(7)(A) Not later than 180 days after the date of enactment of this paragraph, the Commission shall promulgate a rule requiring any public utility that is seeking to merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with those of any other person, to notify the Commission of such transaction not later than 30

days after the date on which the transaction is consummated if—

"(i) such facilities, or any part thereof, are of a value in excess of \$1,000,000; and

"(ii) such public utility is not required to secure an order of the Commission under paragraph (1)(B).

"(B) In establishing any notification requirement under subparagraph (A), the Commission shall, to the maximum extent practicable, minimize the paperwork burden resulting from the collection of information."

SEC. 3. EFFECTIVE DATE.

The amendment made by section 1 shall take effect 180 days after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, H.R. 1109, is, again, a bipartisan bill introduced by the gentleman from Michigan (Mr. WALBERG). It was reported by unanimous consent from the Energy and Commerce Committee. It amends the Federal Power Act with respect to the prohibition regarding mergers or consolidations by a public utility.

Any merger or consolidation of a public utility whose value exceeds \$10 million must first be authorized by the Federal Energy Regulatory Commission. In addition, FERC is required to promulgate a rule within 180 days that mandates any public utility seeking to merge or consolidate to notify FERC within 30 days of transaction consummation if the value of such merger or consolidation exceeds \$1 million but, in fact, is less than \$10 million.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1109, sponsored by Representatives WALBERG and DINGELL, which would add a \$10 million threshold to trigger FERC review of a merger or consolidation. This is a significant change to current law as established through the Energy Policy Act of 2005.

Obviously, FERC should not have to rely on trade publications or on word of mouth to know that merger or consolidation activity involving regulated utilities is occurring. This bill, as reported by the Energy and Commerce Committee, includes language requiring FERC to undertake a rulemaking to develop a short, simple, notification process for transactions above the \$1

million mark that fall below the new \$10 million threshold.

This addresses a problem, in that FERC lacked a standardized way to acquire the information necessary to know that these below-threshold transactions were occurring. Without that knowledge, it would be too easy for someone looking to evade the new \$10 million threshold to break their transaction into smaller pieces and, thereby, escape review.

I want to commend the gentleman and the gentlewoman from Michigan for their work to address this matter. I think this is sensible legislation that reduces the burden on industry and on the government, while ensuring the public good is fully protected.

I urge the passage of this legislation, and I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. WALBERG), the author of the legislation.

Mr. WALBERG. Mr. Speaker, I thank my colleague and friend from Michigan, the chairman of the Energy Subcommittee, as well as the ranking member of the subcommittee for this opportunity.

I also want to start off by thanking the Energy and Commerce Committee staff on both sides of the aisle for their time and work on this issue.

Additionally, I would like also to thank my colleague, DEBBIE DINGELL, for being an original cosponsor of H.R. 1109 and helping advance this bipartisan and, might I add, commonsense rule.

Based on current statute, the Federal Energy Regulatory Commission takes the position that approval from the Commission is necessary for all mergers and acquisitions, no matter how small or insignificant the value of the facilities involved, even down to zero.

FERC's interpretation has led to trivial paperwork that bogs down the Commission and creates unnecessary red tape for American businesses, ultimately increasing utility bills for the consumer. H.R. 1109 will help reduce excessive paperwork burdens and bring down energy prices for American families.

This bipartisan solution unties FERC's hands and allows the Commission to ensure American consumers are getting the most affordable and reliable electricity possible in a commonsense sort of way. Mr. Speaker, I urge my colleagues to support H.R. 1109.

Ms. DEGETTE. Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 1109.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REINSTATING AND EXTENDING DEADLINE FOR CONSTRUCTION OF HYDROELECTRIC PROJECT 12715

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2122) to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Jennings Randolph Dam.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2122

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REINSTATEMENT AND EXTENSION OF TIME FOR A FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING JENNINGS RANDOLPH DAM.

(a) EXTENSION OF TIME.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12715 (referred to in this section as the “project”), the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of, and the procedures of the Commission under, that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods that begin on the date of the expiration of the extension originally issued by the Commission.

(b) OBLIGATION OF LICENSEE.—Any obligation of the licensee for the project for the payment of annual charges under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)) shall commence on the expiration of the time period to commence construction of the project, as extended by the Commission under subsection (a).

(c) REINSTATEMENT OF EXPIRED LICENSE.—

(1) IN GENERAL.—If the period required for the commencement of construction of the project has expired before the date of enactment of this Act, the Commission may reinstate the license effective as of the date of the expiration of the license.

(2) EXTENSION.—If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of the expiration of the license.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, H.R. 2122, was introduced by the gentleman from West Virginia (Mr. MCKINLEY), and it authorizes the Federal Energy Regulatory Commission, FERC, upon request, to extend by 6 years the time period during which construction must commence on the Jennings Randolph Hydroelectric Project, which is located on the North Branch of the Potomac River in Garrett County, Maryland, and Mineral County, West Virginia. Additionally, FERC may reinstate the construction license if it has expired.

A similar bill passed under suspension in the 114th Congress, so I hope that we can pass it again today.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2122, a bill to extend the deadline for commencement of construction of a hydroelectric project involving the Jennings Randolph Dam, sponsored by my Energy and Commerce Committee colleague, Mr. MCKINLEY.

In March 2012, FERC licensed the construction of a hydroelectric facility at the Army Corps' Jennings Randolph Dam located on the Potomac River's North Branch in Maryland and West Virginia. The licensee for the Jennings Randolph Dam project was not able to commence construction by the already-extended deadline of April 2016. The bill would authorize FERC to extend for 6 years the date by which the licensee is required to commence construction.

FERC has no objections to this legislation, and similar legislation passed the House by a 418-2 vote during the 114th Congress. I hope my colleagues will join me in supporting H.R. 2122, and I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I have no further speakers, so I yield back the balance of my time.

Ms. DEGETTE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2122.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

HYDROPOWER PERMIT EXTENSION ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2274) to amend the Federal Power Act to provide for extended periods relating to preliminary permits and commencement of construction, and for other purposes.

The Clerk read the title of the bill.