

110TH CONGRESS
2D SESSION

S. 3664

To provide for the extension of a certain hydroelectric project located in the State of West Virginia.

IN THE SENATE OF THE UNITED STATES

OCTOBER 1 (legislative day, SEPTEMBER 17), 2008

Mr. ROCKEFELLER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the extension of a certain hydroelectric project located in the State of West Virginia.

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. EXTENSION OF DEADLINE TO COMMENCE CON-**
4 **STRUCTION.**

5 (a) IN GENERAL.—Notwithstanding the period speci-
6 fied in section 13 of the Federal Power Act (16 U.S.C.
7 806) that would otherwise apply to Federal Energy Regu-
8 latory Commission project number 9042, the Federal En-
9 ergy Regulatory Commission (referred to in this Act as
10 the “Commission”) shall, on the request of the licensee

1 of that project, and in accordance with the good faith, due
2 diligence, and public interest requirements of, the proce-
3 dures of the Commission under, and other procedures
4 specified in, that section, extend the deadline by which the
5 licensee is required to commence construction of the
6 project to December 6, 2009.

7 (b) APPLICABILITY.—Subsection (a) shall take effect
8 with respect to the project described in that subsection
9 on expiration of the extension, issued by the Commission
10 under section 13 of the Federal Power Act (16 U.S.C.
11 806), of the period for the commencement of construction
12 of the project.

13 (c) REINSTATEMENT OF EXPIRED LICENSE.—If a li-
14 cense for the project described in subsection (a) expires
15 before the date of enactment of this Act, the Commission
16 shall—

17 (1) reinstate the license, effective as of that
18 date of expiration; and

19 (2) extend the deadline by which the licensee of
20 the project is required to commence construction of
21 the project to December 6, 2009.

22 **SEC. 2. EXTENSION OF LICENSE PERIOD.**

23 Notwithstanding the period of a license specified in
24 section 6 of the Federal Power Act (16 U.S.C. 799) that
25 would otherwise apply to the project described in section

1 1(a), the Commission shall, on the request of the licensee
2 of that project, and in accordance with such terms and
3 conditions of that Act (16 U.S.C. 791a et seq.) and the
4 Commission as are applicable to the project and the li-
5 cense, extend the period of the license to 60 years, as cal-
6 culated beginning on the date identified in the original
7 order of the Commission issuing the license for the project.

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