

113TH CONGRESS
1ST SESSION

H. R. 254

[Report No. 113-]

To authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2013

Mr. CHAFFETZ introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Budget, 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

APRIL --, 2013

Reported from the Committee on Natural Resources

A BILL

To authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

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 “Bonneville Unit Clean
5 Hydropower Facilitation Act”.

6 **SEC. 2. DIAMOND FORK SYSTEM DEFINED.**

7 For the purposes of this Act, the term “Diamond
8 Fork System” means the facilities described in chapter 4
9 of the October 2004 Supplement to the 1988 Definite
10 Plan Report for the Bonneville Unit.

11 **SEC. 3. COST ALLOCATIONS.**

12 Notwithstanding any other provision of law, in order
13 to facilitate hydropower development on the Diamond
14 Fork System, the amount of reimbursable costs allocated
15 to project power in Chapter 6 of the Power Appendix in
16 the October 2004 Supplement to the 1988 Bonneville Unit
17 Definite Plan Report, with regard to power development
18 upstream of the Diamond Fork System, shall be consid-
19 ered final costs as well as costs in excess of the total max-
20 imum repayment obligation as defined in section 211 of
21 the Central Utah Project Completion Act of 1992 (Public
22 Law 102–575), and shall be subject to the same terms
23 and conditions.

1 **SEC. 4. NO PURCHASE OR MARKET OBLIGATION; NO COSTS**
2 **ASSIGNED TO POWER.**

3 Nothing in this Act shall obligate the Western Area
4 Power Administration to purchase or market any of the
5 power produced by the Diamond Fork power plant and
6 none of the costs associated with development of trans-
7 mission facilities to transmit power from the Diamond
8 Fork power plant shall be assigned to power for the pur-
9 pose of Colorado River Storage Project ratemaking.

10 **SEC. 5. PROHIBITION ON TAX-EXEMPT FINANCING.**

11 No facility for the generation or transmission of hy-
12 droelectric power on the Diamond Fork System may be
13 financed or refinanced, in whole or in part, with proceeds
14 of any obligation—

15 (1) the interest on which is exempt from the
16 tax imposed under chapter 1 of the Internal Rev-
17 enue Code of 1986, or

18 (2) with respect to which credit is allowable
19 under subpart I or J of part IV of subchapter A of
20 chapter 1 of such Code.

21 **SEC. 6. REPORTING REQUIREMENT.**

22 If, 24 months after the date of the enactment of this
23 Act, hydropower production on the Diamond Fork System
24 has not commenced, the Secretary of the Interior shall
25 submit a report to the Committee on Natural Resources
26 of the House of Representatives and the Committee on

1 Energy and Natural Resources of the Senate stating this
2 fact, the reasons such production has not yet commenced,
3 and a detailed timeline for future hydropower production.

4 **SEC. 7. PAYGO.**

5 The budgetary effects of this Act, for the purpose of
6 complying with the Statutory Pay-As-You-Go Act of 2010,
7 shall be determined by reference to the latest statement
8 titled “Budgetary Effects of PAYGO Legislation” for this
9 Act, submitted for printing in the Congressional Record
10 by the Chairman of the House Budget Committee, pro-
11 vided that such statement has been submitted prior to the
12 vote on passage.

13 **SEC. 8. LIMITATION ON THE USE OF FUNDS.**

14 The authority under the provisions of section 301 of
15 the Hoover Power Plant Act of 1984 (Public Law 98–381;
16 42 U.S.C. 16421a) shall not be used to fund any study
17 or construction of transmission facilities developed as a
18 result of this Act.

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