To amend the Federal Power Act to provide for extended periods relating to preliminary permits and commencement of construction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2017

Mr. PETERS introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Power Act to provide for extended periods relating to preliminary permits and commencement of construction, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “HYdropower Permit Extension Act” or the “HYPE Act”.

SEC. 2. EXTENSIONS OF PERIODS.

(a) PRELIMINARY PERMITS.—Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—
(1) in subsection (a), by striking “three” and inserting “four”; and

(2) in subsection (b)—

(A) by striking “Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years” and inserting the following: “Commission may—

“(1) extend the period of a preliminary permit once for not more than four additional years beyond the four years”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(2) if the period of a preliminary permit is extended under paragraph (1), extend the period of such preliminary permit once for not more than four additional years beyond the extension period granted under paragraph (1), if the Commission determines that there are extraordinary circumstances that warrant such additional extension.”.

(b) TIME LIMIT FOR CONSTRUCTION OF PROJECT WORKS.—Section 13 of the Federal Power Act (16 U.S.C. 806) is amended in the second sentence by striking “once
but not longer than two additional years” and inserting “for not more than eight additional years,”.