115th CONGRESS 2D Session

S. 215

AN ACT

To authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, and for other purposes.

1 Be it enacted by the Senate and House of Representa-

2 tives of the United States of America in Congress assembled,

1	2 SECTION 1. STAY AND REINSTATEMENT OF FERC LICENSE
2	NO. 11393 FOR THE MAHONEY LAKE HYDRO-
3	ELECTRIC PROJECT.
4	(a) DEFINITIONS.—In this section:
5	(1) COMMISSION.—The term "Commission"
6	means the Federal Energy Regulatory Commission.
7	(2) LICENSE.—The term "license" means the
8	license for the Commission project numbered 11393.
9	(3) LICENSEE.—The term "licensee" means the
10	holder of the license.
11	(b) STAY OF LICENSE.—On the request of the li-
12	censee, the Commission shall issue an order continuing the
13	stay of the license.
14	(c) LIFTING OF STAY.—On the request of the li-
15	censee, but not later than 10 years after the date of enact-
16	ment of this Act, the Commission shall—
17	(1) issue an order lifting the stay of the license
18	under subsection (b); and
19	(2) make the effective date of the license the
20	date on which the stay is lifted under paragraph (1).
21	(d) EXTENSION OF LICENSE.—
22	(1) IN GENERAL.—Notwithstanding the time
23	period specified in section 13 of the Federal Power
24	Act (16 U.S.C. 806) that would otherwise apply to
25	the Commission project numbered 11393, the Com-
26	mission may, at the request of the licensee, and
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1	after reasonable notice, in accordance with the good
2	faith, due diligence, and public interest requirements
3	of, and the procedures of the Commission under,
4	that section, extend the time period during which
5	the licensee is required to commence the construc-
6	tion of the project for not more than 3 consecutive
7	2-year periods from the date of the expiration of the
8	extension originally issued by the Commission.
9	(2) Reinstatement of expired license.—
10	(A) IN GENERAL.—If the period required
11	for the commencement of construction of the
12	project described in paragraph (1) has expired
13	prior to the date of enactment of this Act, the
14	Commission may reinstate the license effective
15	as of the date of the expiration of the license.
16	(B) EXTENSION.—If the Commission rein-
17	states the license under subparagraph (A), the
18	first extension authorized under paragraph (1)
19	shall take effect on the date of that expiration.
20	(e) Effect.—Nothing in this Act prioritizes, or cre-
21	ates any advantage or disadvantage to, Commission
22	project numbered 11393 under Federal law, including the
23	Federal Power Act (16 U.S.C. 791a et seq.) or the Public
24	Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601
25	et seq.), as compared to—

(1) any electric generating facility in existence
on the date of enactment of this Act; or
(2) any electric generating facility that may be
examined, proposed, or developed during the period
of any stay or extension of the license under this
Act.
Passed the Senate June 28, 2018.
Attest:

Secretary.

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