

111TH CONGRESS  
1ST SESSION

# S. 32

To require the Federal Energy Regulatory Commission to hold at least 1 public hearing before issuance of a permit affecting public or private land use in a locality.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2009

Mr. SPECTER (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To require the Federal Energy Regulatory Commission to hold at least 1 public hearing before issuance of a permit affecting public or private land use in a locality.

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. PUBLIC HEARING BEFORE ISSUANCE OF PER-**  
4 **MITS AFFECTING PUBLIC OR PRIVATE LAND**  
5 **USE IN LOCALITIES.**

6 (a) ELECTRICITY.—Section 216(c) of the Federal  
7 Power Act (16 U.S.C. 824p(c)) is amended by adding at  
8 the end the following:

9 “(3) PUBLIC HEARINGS.—

1           “(A) IN GENERAL.—Subject to subpara-  
 2 graph (B), before issuing a permit or other au-  
 3 thorization for any action that may affect pub-  
 4 lic or private land use (other than Federal land)  
 5 in a locality, the Commission shall hold at least  
 6 1 public hearing in each county and locality af-  
 7 fected.

8           “(B) ADDITIONAL PUBLIC HEARING.—If  
 9 the government of a county or locality described  
 10 in subparagraph (A) requests that the Commis-  
 11 sion hold an additional public hearing, the pur-  
 12 pose of which is to address an issue that was  
 13 not addressed at an initial public hearing held  
 14 under that subparagraph, the Commission shall  
 15 hold 1 additional public hearing on a date that  
 16 is not earlier than 30 days, nor later than 60  
 17 days, after the date on which the initial public  
 18 hearing was held.”.

19           (b) NATURAL GAS.—Section 7(e) of the Natural Gas  
 20 Act (15 U.S.C. 717f(e)) is amended—

21           (1) by inserting “(1)” after “(e)”; and

22           (2) by adding at the end the following:

23           “(2) PUBLIC HEARINGS.—

24           “(A) IN GENERAL.—Subject to subpara-  
 25 graph (B), before issuing a permit or other au-

1           thorization for any action that may affect pub-  
2           lic or private land use (other than Federal land)  
3           in a locality, the Commission shall hold at least  
4           1 public hearing in each county and locality af-  
5           fected.

6                   “(B) ADDITIONAL PUBLIC HEARING.—If  
7           the government of a county or locality described  
8           in subparagraph (A) requests that the Commis-  
9           sion hold an additional public hearing, the pur-  
10          pose of which is to address an issue that was  
11          not addressed at an initial public hearing held  
12          under that subparagraph, the Commission shall  
13          hold 1 additional public hearing on a date that  
14          is not earlier than 30 days, nor later than 60  
15          days, after the date on which the initial public  
16          hearing was held.”.

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