

118TH CONGRESS
1ST SESSION

S. 3373

To require the Federal Energy Regulatory Commission to extend the time period during which licensees are required to commence construction of certain hydropower projects.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2023

Mr. DAINES (for himself, Mr. CASEY, Mrs. HYDE-SMITH, and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To require the Federal Energy Regulatory Commission to extend the time period during which licensees are required to commence construction of certain hydropower projects.

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 TIME TO COMMENCE CON-**
4 **STRUCTION OF CERTAIN HYDROPOWER**
5 **PROJECTS.**

6 (a) DEFINITION OF COVERED PROJECT.—In this sec-
7 tion, the term “covered project” means a hydropower

1 project with respect to which the Federal Energy Regu-
2 latory Commission issued a license before March 13, 2020.

3 (b) AUTHORIZATION OF EXTENSION.—Notwith-
4 standing section 13 of the Federal Power Act (16 U.S.C.
5 806), on the request of a licensee of a covered project,
6 the Federal Energy Regulatory Commission may, after
7 reasonable notice and for good cause shown, extend in ac-
8 cordance with subsection (c) the period during which the
9 licensee is required to commence construction of the cov-
10 ered project for an additional 4 years beyond the 8 years
11 authorized by that section.

12 (c) PERIOD OF EXTENSION.—An extension of time
13 to commence construction of a covered project under sub-
14 section (b) shall—

15 (1) begin on the date on which the final exten-
16 sion of the period for commencement of construction
17 granted to the licensee under section 13 of the Fed-
18 eral Power Act (16 U.S.C. 806) expires; and

19 (2) end on the date that is 4 years after the lat-
20 est date to which the Federal Energy Regulatory
21 Commission is authorized to extend the period for
22 commencement of construction under that section.

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