

111TH CONGRESS  
1ST SESSION

# S. 959

To provide for the extension of a certain hydroelectric project located in the State of West Virginia.

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IN THE SENATE OF THE UNITED STATES

MAY 1, 2009

Mr. ROCKEFELLER 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 provide for the extension of a certain hydroelectric project located in the State of West Virginia.

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 DEADLINE TO COMMENCE CON-**  
4 **STRUCTION.**

5 (a) IN GENERAL.—Notwithstanding the period speci-  
6 fied in section 13 of the Federal Power Act (16 U.S.C.  
7 806) that would otherwise apply to Federal Energy Regu-  
8 latory Commission project number 9042, the Federal En-  
9 ergy Regulatory Commission (referred to in this Act as  
10 the “Commission”) shall, on the request of the licensee

1 of that project, and in accordance with the good faith, due  
2 diligence, and public interest requirements of, the proce-  
3 dures of the Commission under, and other procedures  
4 specified in, that section, extend the deadline by which the  
5 licensee is required to commence construction of the  
6 project to the date that is 2 years after the date of enact-  
7 ment of this Act.

8 (b) APPLICABILITY.—Subsection (a) shall take effect  
9 with respect to the project described in that subsection  
10 on expiration of the extension, issued by the Commission  
11 under section 13 of the Federal Power Act (16 U.S.C.  
12 806), of the period for the commencement of construction  
13 of the project.

14 (c) REINSTATEMENT OF EXPIRED LICENSE.—If a li-  
15 cense for the project described in subsection (a) expires  
16 before the date of enactment of this Act, the Commission  
17 shall—

18 (1) reinstate the license, effective as of that  
19 date of expiration; and

20 (2) extend the deadline by which the licensee of  
21 the project is required to commence construction of  
22 the project to the date that is 2 years after the date  
23 of enactment of this Act.

1 **SEC. 2. EXTENSION OF LICENSE PERIOD.**

2       Notwithstanding the period of a license specified in  
3 section 6 of the Federal Power Act (16 U.S.C. 799) that  
4 would otherwise apply to the project described in section  
5 1(a), the Commission shall, on the request of the licensee  
6 of that project, and in accordance with such terms and  
7 conditions of that Act (16 U.S.C. 791a et seq.) and the  
8 Commission as are applicable to the project and the li-  
9 cense, extend the period of the license to 70 years, as cal-  
10 culated beginning on the date identified in the original  
11 order of the Commission issuing the license for the project.

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