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115–169

TO EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT

JUNE 12, 2017.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WALDEN, from the Committee on Energy and Commerce, submitted the following

R E P O R T

[To accompany H.R. 446]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 446) to extend the deadline for commencement of construction of a hydroelectric project, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 446 would authorize the Federal Energy Regulatory Commission (FERC) to extend the time period during which the licensee is required to commence the construction of Commission project number 12740 for up to 3 consecutive 2-year periods.

COMMITTEE ACTION

On May 3, 2017, the Subcommittee on Energy held a hearing on H.R. 446. The Subcommittee received testimony from:

- Terry Turpin, Director, Office of Energy Projects, Federal Energy Regulatory Commission;
- John Katz, Deputy Associate General Counsel, Office of the General Counsel, Federal Energy Regulatory Commission;
- Jeffrey Leahey, Deputy Executive Director, National Hydropower Association;
- Donald Santa, President and CEO, Interstate Natural Gas Association of America;
- Andy Black, President and CEO, Association of Oil Pipe Lines;
- Jeffrey Soth, Legislative and Political Director, International Union of Operating Engineers;
- Bob Irvin, President and CEO, American Rivers; and,
- Jennifer Danis, Senior Staff Attorney, Eastern Environmental Law Center.

On June 7, 2017, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 446, without amendment, favorably reported to the House by unanimous consent.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. There were no record votes taken in connection with ordering H.R. 446 reported.

OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held a hearing and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 446 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to authorize the Federal En-

ergy Regulatory Commission to extend the time period during which the licensee is required to commence the construction of Commission project number 12740 for up to 3 consecutive 2-year periods.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 446 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 446 contains no earmarks, limited tax benefits, or limited tariff benefits.

DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(i) of H. Res. 5, the Committee finds that H.R. 446 contains no directed rule makings.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Extension

Section 1 would authorize FERC to extend the time period during which the licensee is required to commence the construction of Commission project number 12740 for up to 3 consecutive 2-year periods. Such action may be taken at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of section 13 of the Federal Power Act, and the Commission's procedures.

If the period required for commencement of construction of the project has expired prior to the date of the enactment of this Act, the FERC may reinstate the license for the project effective as of the date of its expiration and the first authorized extension shall take effect on the date of such expiration.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

This legislation does not amend any existing Federal statute.

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