

114TH CONGRESS  
1ST SESSION

# S. 2046

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.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2015

Ms. MURKOWSKI 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 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,*

3       **SECTION 1. STAY AND REINSTATEMENT OF FERC LICENSE**

4                       **NO. 11393 FOR THE MAHONEY LAKE HYDRO-**  
5                       **ELECTRIC PROJECT.**

6       (a) DEFINITIONS.—In this section:

7               (1) COMMISSION.—The term “Commission”  
8       means the Federal Energy Regulatory Commission.

1           (2) LICENSE.—The term “license” means the  
2 license for Commission project number 11393.

3           (3) LICENSEE.—The term “licensee” means the  
4 holder of the license.

5           (b) STAY OF LICENSE.—On the request of the li-  
6 censee, the Commission shall issue an order continuing the  
7 stay of the license.

8           (c) LIFTING OF STAY.—On the request of the li-  
9 censee, but not later than 10 years after the date of enact-  
10 ment of this Act, the Commission shall—

11           (1) issue an order lifting the stay of the license  
12 under subsection (b); and

13           (2) make the effective date of the license the  
14 date on which the stay is lifted under paragraph (1).

15           (d) EXTENSION OF LICENSE.—On the request of the  
16 licensee and notwithstanding the time period specified in  
17 section 13 of the Federal Power Act (16 U.S.C. 806) for  
18 commencement of construction of the project subject to  
19 the license, the Commission shall, after reasonable notice  
20 and in accordance with the good faith, due diligence, and  
21 public interest requirements of that section, extend the  
22 time period during which the licensee is required to com-  
23 mence the construction of the project for not more than  
24 3 consecutive 2-year periods, notwithstanding any other  
25 provision of law.

1 (e) EFFECT.—Nothing in this Act prioritizes, or cre-  
2 ates any advantage or disadvantage to, Commission  
3 project number 11393 under Federal law, including the  
4 Federal Power Act (16 U.S.C. 791a et seq.) or the Public  
5 Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601  
6 et seq.), as compared to—

7 (1) any electric generating facility in existence  
8 on the date of enactment of this Act; or

9 (2) any electric generating facility that may be  
10 examined, proposed, or developed during the period  
11 of any stay or extension of the license under this  
12 Act.

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