HR 5892

Hydropower Regulatory Efficiency Act of 2012

Congress: 112 (2011–2013, Ended)
Chamber: House
Policy Area: Water Resources Development
Introduced: Jun 5, 2012
Current Status: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
Latest Action: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources. (Jul 10, 2012)
Official Text: https://www.congress.gov/bill/112th-congress/house-bill/5892

Sponsor

Name: Rep. McMorris Rodgers, Cathy [R-WA-5]
Party: Republican • **State:** WA • **Chamber:** House

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Rep. DeGette, Diana [D-CO-1]	D · CO		Jun 5, 2012
Rep. Dingell, John D. [D-MI-15]	D · MI		Jun 5, 2012
Rep. Latta, Robert E. [R-OH-5]	R · OH		Jun 5, 2012
Rep. Markey, Edward J. [D-MA-7]	D · MA		Jun 5, 2012
Rep. Matheson, Jim [D-UT-2]	D · UT		Jun 5, 2012
Rep. Smith, Lamar [R-TX-21]	R · TX		Jun 5, 2012
Rep. Terry, Lee [R-NE-2]	R · NE		Jun 5, 2012
Rep. Gardner, Cory [R-CO-4]	R · CO		Jun 8, 2012
Rep. Walden, Greg [R-OR-2]	R · OR		Jun 8, 2012
Rep. Lujan, Ben Ray [D-NM-3]	D · NM		Jun 26, 2012
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Jun 26, 2012

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jun 8, 2012
Energy and Natural Resources Committee	Senate	Referred To	Jul 10, 2012

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

Bill	Relationship	Last Action
112 HR 3680	Related bill	**Jan 3, 2012:** Referred to the Subcommittee on Water and Power.
112 S 629	Related bill	**May 18, 2011:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 55.

Summary (as of Jul 9, 2012)

(This measure has not been amended since it was introduced. The expanded summary of the House reported version is repeated here.)

Hydropower Regulatory Efficiency Act of 2012 - (Sec. 3) Amends the Public Utility Regulatory Policies Act of 1978 (PURPA) to increase from 5,000 to 10,000 kilowatts the size of small hydroelectric power projects which the Federal Energy Regulatory Commission (FERC) may exempt from its license requirements.

(Sec. 4) Amends the Federal Power Act to revise the limitation on the maximum installation capacity of qualifying conduit hydropower facilities that are eligible for an exemption from licensing requirements.

Requires any person, state, or municipality proposing to construct a qualifying conduit hydropower facility to file with FERC a notice of intent to do so. Requires FERC, within 15 days after receiving such a notice of intent, to make an initial determination as to whether the facility meets the qualifying criteria.

Waives license requirements for any conduit hydroelectric facility that: (1) uses for electric power generation only the hydroelectric potential of a non-federally owned conduit, (2) has a maximum installed capacity of five megawatts, and (3) is not currently licensed or exempted from license requirements.

Redefines "conduit" to specify any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance operated for the distribution of water for agricultural, municipal, or industrial consumption and not primarily for the generation of electricity.

Authorizes FERC to exempt from license requirements any electric power generation facility that utilizes for such generation only the hydroelectric potential of a conduit, and has an installed capacity or 40 megawatts or fewer.

(Sec. 5) Authorizes FERC to extend the preliminary permit period for up to two additional years beyond the three years otherwise allowed if it finds that the permittee has implemented activities under the permit in good faith and with reasonable diligence.

(Sec. 6) Directs FERC to: (1) investigate the feasibility of issuing a license for hydropower development at nonpowered dams and closed loop pumped storage projects during a two-year period, and (2) hold workshops and develop hydropower pilot projects.

(Sec. 7) Directs the Secretary of Energy (DOE) to study: (1) the technical flexibility that existing pumped storage facilities can provide to support intermittent renewable electric energy generation, including the potential for such facilities to be upgraded or retrofitted with advanced commercially available technology; and (2) the technical potential of existing pumped storage facilities and new advanced pumped storage facilities to provide grid reliability benefits.

Actions Timeline

- **Jul 10, 2012:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Jul 9, 2012:** Mrs. McMorris Rodgers moved to suspend the rules and pass the bill.
- **Jul 9, 2012:** Considered under suspension of the rules. (consideration: CR H4666-4670)
- **Jul 9, 2012:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5892.
- **Jul 9, 2012:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jul 9, 2012:** Considered as unfinished business. (consideration: CR H4671-4672)
- **Jul 9, 2012:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 372 - 0 (Roll no. 454).(text: CR H4666-4668)
- **Jul 9, 2012:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 372 - 0 (Roll no. 454). (text: CR H4666-4668)
- **Jul 9, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 29, 2012:** Reported by the Committee on Energy and Commerce. H. Rept. 112-563.
- **Jun 29, 2012:** Placed on the Union Calendar, Calendar No. 404.
- **Jun 20, 2012:** Committee Consideration and Mark-up Session Held.
- **Jun 20, 2012:** Ordered to be Reported.
- **Jun 8, 2012:** Referred to the Subcommittee on Energy and Power.
- **Jun 5, 2012:** Introduced in House
- **Jun 5, 2012:** Referred to the House Committee on Energy and Commerce.