

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 859

To amend the Energy Policy Act of 2005 to reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reliable Investment
5 in Vital Energy Reauthorization Act” or the “RIVER
6 Act”.

7 **SEC. 2. HYDROELECTRIC PRODUCTION INCENTIVES AND**
8 **EFFICIENCY IMPROVEMENTS.**

9 (a) HYDROELECTRIC PRODUCTION INCENTIVES.—
10 Section 242 of the Energy Policy Act of 2005 (42 U.S.C.
11 15881) is amended—

1 (1) in subsection (b), by striking paragraph (1)
2 and inserting the following:

3 “(1) QUALIFIED HYDROELECTRIC FACILITY.—
4 The term ‘qualified hydroelectric facility’ means a
5 turbine or other generating device owned or solely
6 operated by a non-Federal entity—

7 “(A) that generates hydroelectric energy
8 for sale; and

9 “(B)(i) that is added to an existing dam or
10 conduit; or

11 “(ii)(I) that has a generating capacity of
12 not more than 10 megawatts;

13 “(II) for which the non-Federal entity has
14 received a construction authorization from the
15 Federal Energy Regulatory Commission, if ap-
16 plicable; and

17 “(III) that is constructed in a region in
18 which there is inadequate electric service, as de-
19 termined by the Secretary.”;

20 (2) in subsection (c), by striking “10” and in-
21 serting “22”;

22 (3) in subsection (e)(2), by striking “section
23 29(d)(2)(B)” and inserting “section 45K(d)(2)(B)”;

24 (4) in subsection (f), by striking “20” and in-
25 serting “32”; and

1 (5) in subsection (g), by striking “each of the
2 fiscal years 2006 through 2015” and inserting “each
3 of fiscal years 2019 through 2036”.

4 (b) HYDROELECTRIC EFFICIENCY IMPROVEMENT.—
5 Section 243(c) of the Energy Policy Act of 2005 (42
6 U.S.C. 15882(c)) is amended by striking “each of the fis-
7 cal years 2006 through 2015” and inserting “each of fis-
8 cal years 2019 through 2036”.