

Union Calendar No. 373

103D CONGRESS
2D SESSION

H. R. 4866

[Report No. 103-684]

A BILL

To encourage solar, wind, waste, and geothermal power production by permanently removing the size limitations contained in the Public Utility Regulatory Policies Act of 1978.

AUGUST 8, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Union Calendar No. 373103^D CONGRESS
2^D SESSION**H. R. 4866****[Report No. 103-684]**

To encourage solar, wind, waste, and geothermal power production by permanently removing the size limitations contained in the Public Utility Regulatory Policies Act of 1978.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1994

Mr. SHARP (for himself and Mr. MOORHEAD) introduced the following bill;
which was referred to the Committee on Energy and Commerce

AUGUST 8, 1994

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To encourage solar, wind, waste, and geothermal power production by permanently removing the size limitations contained in the Public Utility Regulatory Policies Act of 1978.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Solar, Wind, Waste,
3 and Geothermal Power Production Act of 1994”.

4 **SEC. 2. REMOVAL OF SIZE LIMITATIONS UNDER PURPA.**

5 (a) **AMENDMENT TO PURPA.**—Section 210 of the
6 Public Utility Regulatory Policies Act of 1978 is amended
7 in subsection (e)(2) by striking “, or 80 megawatts for
8 a qualifying small power production facility using geo-
9 thermal energy as the primary energy source,”.

10 (b) **AMENDMENT OF FEDERAL POWER ACT.**—Sec-
11 tion 3(17)(E) of the Federal Power Act is amended by
12 striking the semicolon after “geothermal resources” and
13 all that follows down to the period at the end thereof.

14 (c) **REPEAL OF INTERIM PROVISIONS.**—The Solar,
15 Wind, Waste, and Geothermal Power Production Incen-
16 tives Act of 1990 (Public Law 101–575; 16 U.S.C. 796
17 note) is amended by repealing section 4.

18 **SECTION 1. SIZE LIMITATIONS OF ELIGIBLE FACILITIES**
19 **UNDER PURPA.**

20 (a) **EXTENSION.**—Section 3(17)(E) of the Federal
21 Power Act (16 U.S.C. 791a and following) is amended as
22 follows:

23 (1) By striking “1994” and inserting “1996”.

24 (2) By striking “1999” and inserting “2001”.

25 (b) **STUDY.**—Before January 1, 1996, the Secretary of
26 Energy, in consultation with the Federal Energy Regu-

1 *latory Commission, shall conduct a study to review the cur-*
2 *rent implementation of the Public Utility Regulatory Poli-*
3 *cies Act of 1978 and submit a report to Congress containing*
4 *the results of such study. Such report shall include an exam-*
5 *ination of the mandatory purchase requirements under such*
6 *Act, the implementation of avoided cost requirements by*
7 *various State public service commissions and ownership re-*
8 *strictions imposed under such Act. In conducting the study,*
9 *the Secretary shall consult with State public service com-*
10 *missions and other State regulatory authorities with juris-*
11 *diction over electric power sales.*