

FEDERAL POWER ACT AMENDMENT OF 1967

WEDNESDAY, NOVEMBER 1, 1967

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON COMMUNICATIONS AND POWER,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The committee met at 10 a.m., pursuant to notice, in room 2123, Rayburn House Office Building, Hon. Torbert H. Macdonald (chairman of the subcommittee) presiding.

Mr. MACDONALD. The hearing will be in order.

This morning the Subcommittee on Communications and Power is opening hearings on H.R. 5348, introduced by a colleague on our full committee, Mr. Rogers of Florida, and five other identical bills introduced by members of the Florida delegation.

(The bills and sponsors referred to are: H.R. 5637, Pepper of Florida; H.R. 7799, Fascell of Florida; H.R. 8426, Gurney of Florida; H.R. 8919, Burke of Florida; and H.R. 9174, Cramer of Florida.)

Mr. MACDONALD. These bills would amend the Federal Power Act to exempt from parts II and III of that act certain public utilities (1) which have all their facilities in one State; (2) none of whose facilities are used to transmit or receive electric energy by direct connection from or to another State; and (3) which do not transmit or receive electric energy under contract with an entity in another State.

In addition, the bills would exempt from the jurisdiction of the Federal Power Act any cooperative or nonprofit membership organization which is financed by the Rural Electrification Administration.

H.R. 5348 derives from several bills considered in the 89th Congress, including H.R. 3608, H.R. 5955, H.R. 8089, and S. 1459, which were the subject of extensive hearings and consideration by this committee last year.

At this point in the record we will insert the bill under consideration and such agency reports that are available.

(H.R. 5348 and departmental reports thereon follow:)

[H.R. 5348, 90th Cong., 1st sess.]

A BILL To amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Federal Power Act Amendment of 1967.

SEC. 2. Subsection (f) of section 201 of the Federal Power Act, as amended, is hereby amended to read as follows:

"(f) No provision in this part shall apply to, or be deemed to include, the United States, a State or any political subdivision of a State, or any agency, authority, or instrumentality of any one or more of the foregoing, or any corporation which is wholly owned, directly, by any one or more of the foregoing,