

AMENDMENT TO H.R. 3221
OFFERED BY MR. ARCURI OF NEW YORK

In title IX, insert the following at the end of part
1 of subtitle B and make the necessary conforming
amendments in the table of contents:

1 **SEC. 9119. EMINENT DOMAIN AUTHORITY.**

2 Section 216 of the Federal Power Act (as added by
3 section 1221 of the Energy Policy Act of 2005) is amend-
4 ed by repealing subsections (f) and by amending sub-
5 section (e) to read as follows:

6 “(e) ACQUISITION OF RIGHTS-OF-WAY.—In the case
7 of a permit under subsection (b) for electric transmission
8 facilities to be located on property other than property
9 owned by the United States or a State, if the permit hold-
10 er cannot acquire by contract, or is unable to agree with
11 the owner of the property to the compensation to be paid
12 for, the necessary right-of-way to construct or modify the
13 transmission facilities, the permit holder may acquire the
14 right-of-way in accordance with State law for the State
15 in which the property is located.”