

  
(Original Signature of Member)

111TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Internal Revenue Code of 1986 to encourage investment in electric transmission technologies that improve the efficiency of power delivery.

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IN THE HOUSE OF REPRESENTATIVES

Mr. HOYER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Internal Revenue Code of 1986 to encourage investment in electric transmission technologies that improve the efficiency of power delivery.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Financing Advanced  
5 and Superconducting Transmission Act of 2009".

1 **SEC. 2. 5-YEAR DEPRECIATION FOR ADVANCED ELECTRIC**  
2 **TRANSMISSION PROPERTY.**

3 (a) **IN GENERAL.**—Subparagraph (B) of section  
4 168(e)(3) of the Internal Revenue Code of 1986 (defining  
5 5-year property) is amended by striking “and” at the end  
6 of clause (vi), by striking the period at the end of clause  
7 (vii) and inserting “, and”, and by inserting after clause  
8 (vii) the following new clause:

9 “(viii) is qualified advanced electric  
10 transmission property (as described in sec-  
11 tion 48(e)(6)) which is placed in service be-  
12 fore January 1, 2017”.

13 (b) **EFFECTIVE DATE.**—The amendment made by  
14 subsection (a) shall apply to property placed in service  
15 after the date of the enactment of this Act.

16 **SEC. 3. INVESTMENT TAX CREDIT FOR HIGH EFFICIENCY**  
17 **TRANSMISSION PROPERTY AND ADVANCED**  
18 **ELECTRIC TRANSMISSION PROPERTY.**

19 (a) **IN GENERAL.**—Subparagraph (A) of section  
20 48(a)(3) of the Internal Revenue Code of 1986 (defining  
21 energy property) is amended by striking “or” at the end  
22 of clause (vi) and by inserting after clause (vii) the fol-  
23 lowing new clauses:

24 “(viii) qualified high efficiency trans-  
25 mission property, or

1                   “(ix) qualified advanced electric trans-  
2                   mission property,”.

3           (b) 30 PERCENT CREDIT.—Clause (i) of section  
4 48(a)(2)(A) of the Internal Revenue Code of 1986 is  
5 amended by striking “and” at the end of subclause (III)  
6 and by inserting after subclause (IV) the following:

7                   “(V) qualified advanced electric  
8                   transmission property, and”.

9           (c) DEFINITIONS.—Subsection (c) of section 48 of  
10 such Code is amended by adding at the end the following  
11 new paragraphs:

12                   “(5) QUALIFIED HIGH EFFICIENCY TRANS-  
13                   MISSION PROPERTY.—

14                   “(A) IN GENERAL.—The term ‘qualified  
15                   high efficiency transmission property’ means  
16                   any high voltage overhead electric transmission  
17                   line, related substation, or other integrated fa-  
18                   cility that—

19                   “(i) utilizes advanced conductor core  
20                   technology that has been determined by  
21                   the Secretary of Energy as—

22                   “(I) reasonably likely to become  
23                   commercially viable within ten (10)  
24                   years of the date of enactment of the

1 Financing Advanced and Super-  
2 conducting Transmission Act of 2009,

3 “(II) is suitable for use on trans-  
4 mission lines up to 765kV, and

5 “(III) exhibits power losses at  
6 least 30 percent lower than that of  
7 transmission lines using conventional  
8 ‘ACSR’ conductors,

9 “(ii) has been determined by an ap-  
10 propriate energy regulatory body, upon ap-  
11 plication, to be in the public interest and  
12 thereby eligible for inclusion in regulated  
13 rates, and

14 “(iii) can be located safely and eco-  
15 nomically in a right of way not to exceed  
16 that used by conventional ‘ACSR’ conduc-  
17 tors.

18 “(B) TERMINATION.—The term ‘qualified  
19 high efficiency transmission property’ shall not  
20 include any property placed in service after De-  
21 cember 31, 2016.

22 “(6) QUALIFIED ADVANCED ELECTRIC TRANS-  
23 MISSION PROPERTY.—

24 “(A) IN GENERAL.—The term ‘qualified  
25 advanced electric transmission property’ means

1 any high voltage electric transmission cable, re-  
2 lated substation, converter station, or other in-  
3 tegrated facility that—

4 “(i) utilizes advanced ultra low resist-  
5 ance superconductive material or other ad-  
6 vanced technology that has been deter-  
7 mined by the Secretary of Energy as—

8 “(I) reasonably likely to become  
9 commercially viable within 10 years  
10 after the date of enactment of the Fi-  
11 nancing Advanced and Super-  
12 conducting Transmission Act of 2009,

13 “(II) capable of reliably transmit-  
14 ting at least 5 gigawatts of high-volt-  
15 age electric energy for distances  
16 greater than 300 miles with energy  
17 losses not exceeding 3 percent of the  
18 total power transported and

19 “(III) not creating an electro-  
20 magnetic field,

21 “(ii) has been determined by an ap-  
22 propriate energy regulatory body, upon ap-  
23 plication, to be in the public interest and  
24 thereby eligible for inclusion in regulated  
25 rates, and

1                   “(iii) can be located safely and eco-  
2                   nomicallly in a permanent underground  
3                   right of way not to exceed 25 feet in width.

4                   “(B) ENERGY PERCENTAGE.—In the case  
5                   of any qualified advanced electric transmission  
6                   property placed in service before January 1,  
7                   2015, with a length of not less than 150 miles,  
8                   subsection (a)(2)(A)(i) shall be applied by sub-  
9                   stituting ‘50 percent’ for ‘30 percent’.

10                   “(C) TERMINATION.—The term ‘qualified  
11                   advanced electric transmission property’ shall  
12                   not include any property placed in service after  
13                   December 31, 2016.”.

14                   (d) EFFECTIVE DATE.—The amendments made by  
15                   this section shall apply to periods after the date of the  
16                   enactment of this Act, in taxable years ending after such  
17                   date, under rules similar to the rules of section 48(m) of  
18                   the Internal Revenue Code of 1986 (as in effect on the  
19                   day before the date of the enactment of the Revenue Rec-  
20                   onciliation Act of 1990).