

reau of Commercial Fisheries in Department of the Interior and Office of Director of such Bureau; transfers of functions, including functions formerly vested by law in Secretary of the Interior or Department of the Interior which were administered through Bureau of Commercial Fisheries or were primarily related to such Bureau, exclusive of certain enumerated functions with respect to Great Lakes fishery research, Missouri River Reservoir research, Gulf Breeze Biological Laboratory, and Trans-Alaska pipeline investigations; and transfer of marine sport fish program of Bureau of Sport Fisheries and Wildlife by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5.

“Coast Guard” substituted in text for “Revenue Cutter Service” on authority of act Jan. 28, 1915, which combined Revenue Cutter Service and Life-Saving Service to form Coast Guard. That act was repealed by section 20 of act Aug. 4, 1949, section 1 of which reestablished Coast Guard by enacting Title 14, Coast Guard.

Coast Guard transferred to Department of Transportation and all functions, powers, and duties, relating to Coast Guard, of Secretary of the Treasury and of other offices and officers of Department of the Treasury transferred to Secretary of Transportation by section 6(b)(1) of Pub. L. 89-670, Oct. 15, 1966, 80 Stat. 938. See section 108 of Title 49, Transportation.

Functions of all officers of Department of the Treasury, and functions of all agencies and employees of such Department, transferred, with certain exceptions, to Secretary of the Treasury, with power vested in him to authorize their performance or performance of any of his functions, by any of such officers, agencies, and employees, by Reorg. Plan No. 26 of 1950, §§ 1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5. Customs Service, referred to in this section, was a service under Department of the Treasury, and Coast Guard, also referred to in this section, was generally a service under such Department, but such Plan excepted, from transfer, functions of Coast Guard, and of Commandant thereof, when Coast Guard was operating as a part of the Navy under sections 1 and 3 of Title 14, Coast Guard.

Reorg. Plan No. III of 1940, § 3, eff. June 30, 1940, 5 F.R. 2108, 54 Stat. 1232, set out in the Appendix to Title 5, Government Organization and Employees, consolidated Bureau of Fisheries and Bureau of Biological Survey with their respective functions into one agency in Department of the Interior to be known as Fish and Wildlife Service, and provided that functions of the consolidated agency shall be administered under direction and supervision of Secretary of the Interior.

Reorg. Plan No. II of 1930, set out in the Appendix to Title 5, transferred Bureau of Fisheries in Department of Commerce and its functions to Department of the Interior, to be administered under direction and supervision of Secretary of the Interior.

CHAPTER 12—FEDERAL REGULATION AND DEVELOPMENT OF POWER

SUBCHAPTER I—REGULATION OF THE DEVELOPMENT OF WATER POWER AND RESOURCES

- Sec. 791. Repealed.
- 791a. Short title.
- 792. Federal Power Commission; creation; number; appointment; term; qualifications; vacancies; quorum; chairman; salary; place of holding sessions.
- 793. Appointment of officers and employees of Commission; duties, and salaries; detail of officers and employees from other departments; expenditures authorized.

- Sec. 793a to 795. Repealed or Omitted.
- 796. Definitions.
- 797. General powers of Commission.
- 797a. Congressional authorization for permits, licenses, leases, or authorizations for dams, conduits, reservoirs, etc., within national parks or monuments.
- 797b. Duty to keep Congress fully and currently informed.
- 797c. Dams in National Park System units.
- 797d. Third party contracting by FERC.
- 798. Purpose and scope of preliminary permits; transfer and cancellation.
- 799. License; duration, conditions, revocation, alteration, or surrender.
- 800. Issuance of preliminary permits or licenses.
- 801. Transfer of license; obligations of transferee.
- 802. Information to accompany application for license; landowner notification.
- 803. Conditions of license generally.
- 804. Project works affecting navigable waters; requirements insertable in license.
- 805. Participation by Government in costs of locks, etc.
- 806. Time limit for construction of project works; extension of time; termination or revocation of licenses for delay.
- 807. Right of Government to take over project works.
- 808. New licenses and renewals.
- 809. Temporary use by Government of project works for national safety; compensation for use.
- 810. Disposition of charges arising from licenses.
- 811. Operation of navigation facilities; rules and regulations; penalties.
- 812. Public-service licensee; regulations by State or by commission as to service, rates, charges, etc.
- 813. Power entering into interstate commerce; regulation of rates, charges, etc.
- 814. Exercise by licensee of power of eminent domain.
- 815. Contract to furnish power extending beyond period of license; obligations of new licensee.
- 816. Preservation of rights vested prior to June 10, 1920.
- 817. Projects not affecting navigable waters; necessity for Federal license, permit or right-of-way; unauthorized activities.
- 818. Public lands included in project; reservation of lands from entry.
- 819. Repealed.
- 820. Proceedings for revocation of license or to prevent violations of license.
- 821. State laws and water rights unaffected.
- 822. Reservation of right to alter or repeal chapter.
- 823. Repeal of inconsistent laws.
- 823a. Conduit hydroelectric facilities.
- 823b. Enforcement.
- 823c. Alaska State jurisdiction over small hydroelectric projects.
- 823d. Alternative conditions and prescriptions.

SUBCHAPTER II—REGULATION OF ELECTRIC UTILITY COMPANIES ENGAGED IN INTERSTATE COMMERCE

- 824. Declaration of policy; application of subchapter.
- 824a. Interconnection and coordination of facilities; emergencies; transmission to foreign countries.
- 824a-1. Pooling.
- 824a-2. Reliability.
- 824a-3. Cogeneration and small power production.
- 824a-4. Seasonal diversity electricity exchange.
- 824b. Disposition of property; consolidations; purchase of securities.

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824c. Issuance of securities; assumption of liabilities.
824d. Rates and charges; schedules; suspension of new rates; automatic adjustment clauses.
824e. Power of Commission to fix rates and charges; determination of cost of production or transmission.
824f. Ordering furnishing of adequate service.
824g. Ascertainment of cost of property and depreciation.
824h. References to State boards by Commission.
824i. Interconnection authority.
824j. Wheeling authority.
824j-1. Open access by unregulated transmitting utilities.
824k. Orders requiring interconnection or wheeling.
824l. Information requirements.
824m. Sales by exempt wholesale generators.
824n. Repealed.
824o. Electric reliability.
824p. Siting of interstate electric transmission facilities.
824q. Native load service obligation.
824r. Protection of transmission contracts in the Pacific Northwest.
824s. Transmission infrastructure investment.
824t. Electricity market transparency rules.
824u. Prohibition on filing false information.
824v. Prohibition of energy market manipulation.
824w. Joint boards on economic dispatch.

SUBCHAPTER III—LICENSEES AND PUBLIC UTILITIES; PROCEDURAL AND ADMINISTRATIVE PROVISIONS

825. Accounts and records.
825a. Rates of depreciation; notice to State authorities before fixing.
825b. Requirements applicable to agencies of United States.
825c. Periodic and special reports; obstructing filing reports or keeping accounts, etc.
825d. Officials dealing in securities.
825e. Complaints.
825f. Investigations by Commission.
825g. Hearings; rules of procedure.
825h. Administrative powers of Commission; rules, regulations, and orders.
825i. Appointment of officers and employees; compensation.
825j. Investigations relating to electric energy; reports to Congress.
825k. Publication and sale of reports.
825l. Review of orders.
825m. Enforcement provisions.
825n. Forfeiture for violations; recovery; applicability.
825o. Penalties for violations; applicability of section.
825o-1. Enforcement of certain provisions.
825p. Jurisdiction of offenses; enforcement of liabilities and duties.
825q. Repealed.
825q-1. Office of Public Participation.
825r. Separability.
825s. Sale of electric power from reservoir projects; rate schedules; preference in sale; construction of transmission lines; disposition of moneys.
825s-1. Southwestern area sale and transmission of electric power; disposition of receipts; creation of continuing fund; use of fund.
825s-2. Southeastern area sale and transmission of electric power; disposition of receipts; creation of continuing fund; use of fund.
825s-3. Southwestern area sale at uniform system-wide rates of electric power over transmission lines constructed with appropriated funds or used under contractual arrangements.

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825s-4. Southwestern Power Administration; deposit and availability of advance payments.
825s-5. Southeastern Power Administration; deposit and availability of advance payments.
825s-6. Southeastern Power Administration; deposit and availability of discretionary offsetting collections.
825s-7. Southwestern Power Administration; deposit and availability of discretionary offsetting collections.
825t. Utilization of power revenues.
825u. Interest rate on power bonds held by Administrator of General Services.

SUBCHAPTER IV—STATE AND MUNICIPAL WATER CONSERVATION FACILITIES

828. Facilitation of development and construction of water conservation facilities; exemption from certain Federal requirements.
828a. Definitions.
828b. Exemption from formula, books and records, and project cost statement requirements; annual charges.
828c. Applicability of this subchapter.

SUBCHAPTER I—REGULATION OF THE DEVELOPMENT OF WATER POWER AND RESOURCES

CODIFICATION

Section 212 of act of Aug. 26, 1935, ch. 687, 49 Stat. 847, provided that sections 1 to 29 of the Federal Water Power Act, as amended (sections 792, 793, 794 to 797, 798 to 818, 819, and 820 to 823 of this title) shall constitute part I of the act. Said section 212 also repealed sections 25 and 30 of the act (sections 819, 791 of this title). It also contained a proviso as follows: "That nothing in that Act, as amended, shall be construed to repeal or amend the provisions of the amendment to the Federal Water Power Act approved March 3, 1921 (41 Stat. 1353 [section 797a of this title]), or the provisions of any other Act relating to national parks and national monuments."

§ 791. Repealed. Aug. 26, 1935, ch. 687, title II, § 212, 49 Stat. 847

Section, act June 10, 1920, ch. 285, § 30, 41 Stat. 1077, designated the act as The Federal Water Power Act.

§ 791a. Short title

This chapter may be cited as the "Federal Power Act".

(June 10, 1920, ch. 285, pt. III, § 321, formerly § 320, as added Aug. 26, 1935, ch. 687, title II, § 213, 49 Stat. 863; renumbered Pub. L. 95-617, title II, § 212, Nov. 9, 1978, 92 Stat. 3148.)

CODIFICATION

Section was enacted as part of part III of the Federal Power Act, and not as part of part I of that Act which comprises this subchapter.

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-575, § 1, Nov. 15, 1990, 104 Stat. 2834, provided that: "This Act [enacting section 2243 of Title 42, The Public Health and Welfare, amending sections 796 and 824a-3 of this title and sections 2014, 2061, 2201, and 2284 of Title 42, and enacting provisions set out as a note under section 796 of this title] may be cited as the 'Solar, Wind, Waste, and Geothermal Power Production Incentives Act of 1990'."

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-473, § 1, Oct. 6, 1988, 102 Stat. 2299, provided that: "This Act [amending section 824e of this title and