

TRANSFER OF FUNCTIONS

Power marketing functions of Bureau of Reclamation, including construction, operation, and maintenance of transmission lines and attendant facilities, transferred to Secretary of Energy by section 7152(a)(1)(E), (3) of Title 42, The Public Health and Welfare, and are to be exercised by Secretary through a separate Administration within Department of Energy.

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, Government Organization and Employees.

TRANSFER OF CERTAIN FACILITIES

Act Aug. 31, 1951, ch. 375, title I, §101, 65 Stat. 257, provided in part: "The Secretary of the Army is hereby authorized to transfer to the Department of the Interior without exchange of funds, all of the right, title, and interest of the Department of the Army in and to the following facilities, including rights-of-way (except that portion of the rights-of-way within the Fort Peck Reservoir area), but there shall be reserved the right to use the power facilities for the purpose of transmitting power to the Fort Peck project during emergency periods when the Fort Peck power plant is not functioning: (a) the Fort Peck-Rainbow (Great Falls) 161 kilovolt transmission line; (b) the Rainbow (Great Falls) terminal facilities; and (c) the Fort Peck-Whately 50 kilovolt transmission line and substation."

TRANSFER OF TRANSMISSION LINES, SUBSTATIONS, ETC.; COST PRICE; AUTHORITY OF SECRETARY

Act Feb. 27, 1948, ch. 75, 62 Stat. 36, provided: "That, in aid of the administration of the Fort Peck project, there is hereby granted to the United States, for use by the Bureau of Reclamation, Department of the Interior (hereinafter referred to as the 'Bureau'), in the discharge of its duties pursuant to the Act of May 18, 1938 (52 Stat. 403) [this chapter], the electric-transmission lines, substations, rights-of-way, and other property described in section 7 of that certain permit and memorandum of understanding, dated November 2, 1945, between the Bureau and the Office of Indian Affairs, Department of the Interior (hereinafter referred to as the 'Indian Office'): *Provided, however,* That the Bureau shall continue to furnish electric service for the uses and purposes of the Indian Office on the Fort Peck Indian Reservation, pursuant to the terms and conditions of said permit and memorandum of understanding, except as the same may be modified by the Secretary of the Interior.

"SEC. 2. That the amount of money to be paid for said property shall be \$58,577.52, or so much thereof as the Secretary of the Interior shall determine to be needed pursuant to the provisions of said permit and memorandum of understanding. Such sum shall be paid, from funds now or hereafter made available to the Department of the Interior for the construction of transmission lines and substations of the Fort Peck project, to the Commissioner of Indian Affairs, who shall deposit such sum in the Treasury of the United States as a credit on expenditures made for irrigation and power construction on the Fort Peck Indian irrigation project.

"SEC. 3. The Secretary of the Interior is authorized to perform any and all acts as may be deemed necessary to carry out the provisions of this Act [Act Feb. 27, 1948, ch. 75, 62 Stat. 36]."

§ 833b. Definitions

As employed in this chapter, the term "public body," or "public bodies," means States, public power districts, counties, and municipalities, including agencies or subdivisions of any thereof.

As employed in this chapter, the term "cooperative," or "cooperatives," means any form of

nonprofit-making organization or organizations of citizens supplying, or which may be created to supply, members with any kind of goods, commodities, or services, as nearly as possible at cost.

(May 18, 1938, ch. 250, §3, 52 Stat. 405.)

§ 833c. Preference to public bodies and cooperatives

In order to insure that the facilities for the generation of electric energy at the Fort Peck project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the Bureau shall at all times, in disposing of electric energy generated at said project, give preference and priority to public bodies and cooperatives.

(May 18, 1938, ch. 250, §4, 52 Stat. 405.)

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§ 833d. Rate schedules; preparation, approval, and uniformity

Schedules of rates and charges for electric energy produced at the Fort Peck project and sold to purchasers as in this chapter provided shall be prepared by the Bureau and become effective upon confirmation and approval thereof by the Secretary of Energy. Subject to confirmation and approval by the Secretary of Energy, such rate schedules may be modified from time to time by the Bureau and shall be fixed and established with a view to encouraging the widest possible diversified use of electric energy. The said rate schedules may provide for uniform rate or rates uniform throughout prescribed transmission areas in order to extend the benefits of an integrated transmission system and encourage the equitable distribution of the electric energy developed at the Fort Peck project.

(May 18, 1938, ch. 250, §5, 52 Stat. 405; Pub. L. 95-91, title III, §301(b), Aug. 4, 1977, 91 Stat. 578.)

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"Secretary of Energy" substituted in text for "Federal Power Commission" pursuant to Pub. L. 95-91, §301(b), which is classified to section 7151(b) of Title 42.

Federal Power Commission terminated and its functions, personnel, property, funds, etc., transferred to Secretary of Energy (except for certain functions transferred to Federal Energy Regulatory Commission) by