

agency outside the Pacific Northwest for the purpose of transmitting electric energy between the Pacific Northwest and Pacific Southwest, nor shall any arrangement for transmission capacity be executed by any Federal agency for the purpose of financing such lines and related facilities to be constructed by non-Federal entities, except those lines and facilities recommended for Federal construction in the Report of the Secretary of the Interior submitted to Congress on June 24, 1964, as supplemented on July 27, 1964, or as hereafter specifically authorized by Congress: *Provided*, That, except with respect to electric transmission lines and related facilities for the purpose of transmitting electric energy between the two regions above mentioned, nothing herein shall be construed as expanding or diminishing in any way the present authority of the Secretary of Energy to construct transmission lines to market power and energy.

(Pub. L. 88-552, § 8, Aug. 31, 1964, 78 Stat. 758; Pub. L. 95-91, title III, § 302(a), Aug. 4, 1977, 91 Stat. 578.)

#### TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted for “Secretary of the Interior” in the proviso in text pursuant to Pub. L. 95-91, § 302(a), which is classified to section 7152(a) of Title 42, The Public Health and Welfare.

#### § 837g-1. Construction of additional facilities by Secretary of Energy for mutually beneficial power sales between Pacific Northwest and California; contribution of funds by non-Federal entities

Notwithstanding the provisions of section 837g of this title, the Secretary of Energy is authorized to construct or participate in the construction of such additional facilities as he deems necessary to allow mutually beneficial power sales between the Pacific Northwest and California and to accept funds contributed by non-Federal entities for that purpose.

(Pub. L. 98-360, title III, July 16, 1984, 98 Stat. 416.)

#### CODIFICATION

Section was not enacted as part of Pub. L. 88-552 which comprises this chapter.

#### § 837h. Provisions not applicable to Canyon Ferry project or benefits and exchanges under Treaty between Canada and United States; preference of power users in Montana not modified

The provisions of this chapter shall not be applicable to (1) the Canyon Ferry project and (2), except as provided in section 837e of this title, downstream power benefits to which Canada is entitled under the treaty between Canada and the United States relating to the cooperative development of the water resources of the Columbia River Basin, signed at Washington, January 17, 1961, nor to energy or capacity disposed of to Canada in any exchange pursuant to paragraph 1 or 2 of article VIII thereof. Nothing in this chapter shall be construed to modify the geographical preference of power users in the State of Montana which is established by the Hungry

Horse Dam Act (Act of June 4, 1944, 58 Stat. 270), as amended.

(Pub. L. 88-552, § 9, Aug. 31, 1964, 78 Stat. 758.)

#### REFERENCES IN TEXT

The Hungry Horse Dam Act (Act of June 4, 1944, 58 Stat. 270), as amended, referred to in text, probably means act June 5, 1944, ch. 234, 58 Stat. 270, as amended, which is classified to sections 593a and 593b of Title 43, Public Lands.

### CHAPTER 12G—PACIFIC NORTHWEST FEDERAL TRANSMISSION SYSTEM

Sec. 838.	Congressional findings; authority and duties of Secretary of Energy relating to Federal Columbia River Power System unaffected.
838a.	Definitions.
838b.	Operation and maintenance of Federal transmission system; construction of improvements, betterments, additions and replacements; criteria.
838c.	Acquisition by condemnation of transmission facilities.
838d.	Transmission of non-Federal power.
838e.	Acquisition of property.
838f.	Marketing of Federal power; sales agent.
838g.	Schedules of rates and charges for sale of Federal power and transmission of non-Federal power; confirmation and approval; criteria for modification and establishment.
838h.	Uniform schedules of rates and charges for sale of Federal power and transmission of non-Federal power; allocation of cost recovery.
838i.	Bonneville Power Administration fund.
838j.	Investment of excess moneys; deposit of moneys.
838k.	Bonneville Power Administration bonds.
838l.	Bonneville Power Administration refinancing.

#### § 838. Congressional findings; authority and duties of Secretary of Energy relating to Federal Columbia River Power System unaffected

(a) Congress finds that in order to enable the Secretary of Energy to carry out the policies of Public Law 88-552 [16 U.S.C. 837 et seq.] relating to the marketing of electric power from hydroelectric projects in the Pacific Northwest, Public Laws 89-448 and 89-561 relating to use of revenues of the Federal Columbia River Power System to provide financial assistance to reclamation projects in the Pacific Northwest, the treaty between the United States and Canada relating to the cooperative development of the resources of the Columbia River Basin, and other applicable law, it is desirable and appropriate that the revenues of the Federal Columbia River Power System and the proceeds of revenue bonds be used to further the operation, maintenance, and further construction of the Federal transmission system in the Pacific Northwest.

(b) Other than as specifically provided herein, the present authority and duties of the Secretary of Energy relating to the Federal Columbia River Power System shall not be affected by this chapter. The authority and duties of the Administrator referred to herein are subject to the supervision and direction of the Secretary.

(Pub. L. 93-454, § 2, Oct. 18, 1974, 88 Stat. 1376; Pub. L. 95-91, title III, § 302(a)(1)(D), Aug. 4, 1977, 91 Stat. 578.)