

tion 825s of this title, shall be sold at uniform systemwide rates, without discrimination between customers to whom the Southwestern Power Administration delivers such power and energy by means of transmission lines or facilities constructed with appropriated funds, and customers to whom the Southwestern Power Administration delivers such power and energy by means of transmission lines or facilities, the use of which is acquired by lease, wheeling, or other contractual arrangements.

(Pub. L. 95-456, §1, Oct. 13, 1978, 92 Stat. 1230.)

#### Editorial Notes

##### CODIFICATION

Section was not enacted as part of the Federal Power Act which generally comprises this chapter.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Pub. L. 95-456, §2, Oct. 13, 1978, 92 Stat. 1230, provided that: "This Act [enacting this section] shall not become effective until Contract No. 14-02-00001-1002, effective August 1, 1962, between the United States of America and Associated Electric Cooperative, Inc., Springfield, Missouri, has been amended in a manner mutually agreeable to the parties thereto."

#### § 825s-4. Southwestern Power Administration; deposit and availability of advance payments

Notwithstanding section 3302 of title 31, beginning in fiscal year 2005 and thereafter, such funds as are received by the Southwestern Power Administration from any State, municipality, corporation, association, firm, district, or individual as advance payment for work that is associated with Southwestern's transmission facilities, consistent with that authorized in section 825s of this title, shall be credited to this account and be available until expended.

(Pub. L. 108-447, div. C, title III, Dec. 8, 2004, 118 Stat. 2956.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as part of the Energy and Water Development Appropriations Act, 2005, and also as part of the Consolidated Appropriations Act, 2005, and not as part of the Federal Power Act which generally comprises this chapter. Section is based on the proviso in the paragraph under the headings "POWER MARKETING ADMINISTRATIONS" and "OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION" in title III of div. C of Pub. L. 108-447.

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation act:

Pub. L. 108-137, title III, Dec. 1, 2003, 117 Stat. 1858.

#### § 825s-5. Southeastern Power Administration; deposit and availability of advance payments

Notwithstanding the provisions of section 3302 of title 31, beginning in fiscal year 2008 and thereafter, such funds as are received by the Southeastern Power Administration from any State, municipality, corporation, association, firm, district, or individual as advance payment for work that is associated with Southeastern's

Operations and Maintenance, consistent with that authorized in section 825s of this title, shall be credited to this account and be available until expended.

(Pub. L. 110-161, div. C, title III, Dec. 26, 2007, 121 Stat. 1965.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as part of the Energy and Water Development and Related Agencies Appropriations Act, 2008, and also as part of the Consolidated Appropriations Act, 2008, and not as part of the Federal Power Act which generally comprises this chapter.

#### § 825s-6. Southeastern Power Administration; deposit and availability of discretionary offsetting collections

Notwithstanding the provisions of section 3302 of title 31 and section 825s of this title, all funds collected by the Southeastern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

(Pub. L. 111-85, title III, Oct. 28, 2009, 123 Stat. 2869.)

#### Editorial Notes

##### REFERENCES IN TEXT

This fiscal year, referred to in text, is the fiscal year ending Sept. 30, 2010.

##### CODIFICATION

Section was enacted as part of the Energy and Water Development and Related Agencies Appropriations Act, 2010, and not as part of the Federal Power Act which generally comprises this chapter.

#### § 825s-7. Southwestern Power Administration; deposit and availability of discretionary offsetting collections

Notwithstanding section 3302 of title 31 and section 825s of this title, all funds collected by the Southwestern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

(Pub. L. 111-85, title III, Oct. 28, 2009, 123 Stat. 2869.)

#### Editorial Notes

##### REFERENCES IN TEXT

This fiscal year, referred to in text, is the fiscal year ending Sept. 30, 2010.

## CODIFICATION

Section was enacted as part of the Energy and Water Development and Related Agencies Appropriations Act, 2010, and not as part of the Federal Power Act which generally comprises this chapter.

**§ 825s-8. Southeastern Power Administration: rates of basic and premium pay**

During fiscal year 2020 and each fiscal year thereafter, notwithstanding any provision of title 5 relating to classification or rates of pay, the Southeastern Power Administration shall pay any power system dispatcher employed by the Administration a rate of basic pay and premium pay based on those prevailing for similar occupations in the electric power industry. Basic pay and premium pay may not be paid under this section to any individual during a calendar year so as to result in a total rate in excess of the rate of basic pay for level V of the Executive Schedule (section 5316 of such title).

(Pub. L. 116-94, div. C, title III, §310, Dec. 20, 2019, 133 Stat. 2681.)

**§ 825t. Utilization of power revenues**

No power revenues on any project shall be distributed as profits, before or after retirement of the project debt, and nothing contained in any previous appropriation Act shall be deemed to have authorized such distribution: *Provided*, That the application of such revenues to the cost of operation, maintenance, and debt service of the irrigation system of the project, or to other purposes in aid of such irrigation system, shall not be construed to be such a distribution.

(July 1, 1946, ch. 529, §1, 60 Stat. 366.)

**Editorial Notes**

## CODIFICATION

Section was not enacted as part of the Federal Power Act which generally comprises this chapter.

**§ 825u. Interest rate on power bonds held by Administrator of General Services**

The Administrator of General Services or his successor in interest is authorized to reduce the rate of interest to 2½ per centum on all power bonds held by such Agency issued by States, public authorities, counties, municipalities, and other subdivisions of State governments for power projects financed by the Public Works Administration.

(July 31, 1946, ch. 710, §6, 60 Stat. 744; June 30, 1949, ch. 288, title I, §103(a), 63 Stat. 380.)

**Editorial Notes**

## CODIFICATION

This section was not enacted as part of the Federal Power Act which generally comprises this chapter.

**Statutory Notes and Related Subsidiaries**

## TRANSFER OF FUNCTIONS

Functions of Federal Works Agency and of all agencies thereof, together with functions of Federal Works Administrator, transferred to Administrator of General Services by section 103(a) of act June 30, 1949. Both Federal Works Agency and office of Federal Works Admin-

istrator abolished by section 103(b) of said act. See Historical and Revision Notes under section 303(b) of Title 40, Public Buildings, Property, and Works. Transfer of functions of Federal Works Agency effective July 1, 1949, see section 605, formerly §505, of act June 30, 1949, ch. 288, 63 Stat. 403; renumbered by act Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583. Section 303(b) of Title 40 was amended generally by Pub. L. 109-313, §2(a)(1), Oct. 6, 2006, 120 Stat. 1734, and, as so amended, no longer relates to the Federal Works Agency and Commissioner of Public Buildings. See 2006 Amendment note under section 303 of Title 40.

**Executive Documents**

## TRANSFER OF FUNCTIONS

Functions of Public Works Administration transferred to Federal Works Administrator by Ex. Ord. No. 9357, June 30, 1943, 8 F.R. 9041.

**SUBCHAPTER IV—STATE AND MUNICIPAL WATER CONSERVATION FACILITIES**

**§ 828. Facilitation of development and construction of water conservation facilities; exemption from certain Federal requirements**

In order to facilitate the development and construction by States and municipalities of water conservation facilities, certain requirements in the Federal Power Act [16 U.S.C. 791a et seq.] are made inapplicable to States and municipalities as provided in this subchapter.

(Aug. 15, 1953, ch. 503, §1, 67 Stat. 587.)

**Editorial Notes**

## REFERENCES IN TEXT

The Federal Power Act, referred to in text, is act June 10, 1920, ch. 285, 41 Stat. 1063, which is classified generally to this chapter. For complete classification of this Act to the Code, see section 791a of this title and Tables.

## CODIFICATION

Section was not enacted as part of the Federal Power Act which generally comprises this chapter.

**§ 828a. Definitions**

The words used in this subchapter shall have the same meanings ascribed to them in the Federal Power Act [16 U.S.C. 791a et seq.].

(Aug. 15, 1953, ch. 503, §2, 67 Stat. 587.)

**Editorial Notes**

## REFERENCES IN TEXT

The Federal Power Act, referred to in text, is act June 10, 1920, ch. 285, 41 Stat. 1063, which is classified generally to this chapter. For complete classification of this Act to the Code, see section 791a of this title and Tables.

## CODIFICATION

Section was not enacted as part of the Federal Power Act which generally comprises this chapter.

**§ 828b. Exemption from formula, books and records, and project cost statement requirements; annual charges**

Section 807 of this title pertaining to the taking over by the United States of any project upon or after the expiration of a license, and sections 825 and 825a of this title requiring cer-