§ 16.17 or exemption is issued, a Federal department or agency that has filed a
takeover recommendation under §16.14 may file a motion under §385.212 of this
chapter to request a stay of the effective date of the license or exemption
order.
(b)(1) If a Federal department or agency files a motion under paragraph
(a), the Commission will stay the effective date of the order issuing the li-
cense or exemption for two years.
(2) The stay issued under paragraph (b)(1) of this section may be terminated either:
(i) Upon motion of the department or agency that requested the stay; or
(ii) By action of Congress.
(c) The Commission will notify Con-
gress if:
(1) An order granting a stay under
paragraph (b)(1) of this section is
issued;
(2) Any license or exemption order
becomes effective by reason of the ter-
mination of a stay; or
(3) Any license or exemption order
becomes effective by reason of the ex-
piration of a stay.
(d) The Commission’s order granting
the license or exemption will auto-
matically become effective:
(1) Thirty days after issuance, if no
request for stay is filed, provided that
no appeal or rehearing is filed;
(2) When the period of the stay ex-
pires; or
(3) When the stay is terminated under paragraph (b)(2) of this section.
[Order 513, 54 FR 23806, June 2, 1989, as
amended by Order 699, 72 FR 45324, Aug. 14,
2007]
§ 16.17 Procedures upon Congressional
authorization of takeover.
If Congress authorizes the takeover of a hydroelectric power project as pro-
vided under section 14 of the Federal Power Act:
(a) The Commission or the Director
of the Office of Energy Projects will
notify the existing licensee in writing
of the authorization at least two years
before the takeover occurs; and
(b) The licensee must present any
claim for compensation to the Commiss-
ion:
(1) Within six months of issuance of
the notice of takeover; and
(2) As provided in section 14 of the
Federal Power Act.
Subpart D—Annual Licenses for
Projects Subject to Sections
14 and 15 of the Federal
Power Act
§ 16.18 Annual licenses for projects
subject to sections 14 and 15 of the
Federal Power Act
(a) This section applies to projects
with licenses subject to sections 14 and
(b) The Commission will issue an an-
nual license to an existing licensee
under the terms and conditions of the
existing license upon expiration of its
existing license to allow:
(1) The licensee to continue to oper-
ate the project while the Commission
reviews any applications for a new li-
cense, a nonpower license, an exempt-
ion, or a surrender;
(2) The orderly removal of a project,
if the United States does not take over
a project and no new power or
nonpower license or exemption will be
issued; or
(3) The orderly transfer of a project
to:
(i) The United States, if takeover is
elected; or
(ii) A new licensee, if a new power or
nonpower license is issued to that li-
censee.
(c) An annual license issued under
this section will be considered renewed
automatically without further order of
the Commission, unless the Commis-
sion orders otherwise.
(d) In issuing an annual license, the
Commission may incorporate addi-
tional or revised interim conditions if
necessary and practical to limit ad-
verse impacts on the environment.
[Order 513, 54 FR 23806, June 2, 1989, as
amended by Order 513–A, 55 FR 18, Jan. 2,
1990; Order 540, 57 FR 21738, May 22, 1992]