

project lands and waters for recreational purposes, and of the license conditions of interest to persons who may be interested in the recreational aspects of the project or who may wish to acquire lands in its vicinity. Such efforts shall include, but are not limited to: the publication of notice in a local newspaper once each week for 4 weeks, and publication on any project website, of the project's license conditions which relate to public access to and the use of the project waters and lands for recreational purposes, recreational plans, installation of recreation and fish and wildlife facilities, reservoir water surface elevations, minimum water releases or rates of change of water releases, and such other conditions of general public interest as the Commission may designate in the order issuing or amending the license.

[Order 852, 83 FR 67068, Dec. 28, 2018]

§ 8.2 Posting of project lands as to recreational use and availability of information.

(a) Following the issuance or amendment of a license, the licensee shall post and maintain at all points of public access required by the license (or at such access points as are specifically designated for this purpose by the licensee) and at such other points as are subsequently prescribed by the Commission on its own motion or upon the recommendation of a public recreation agency operating in the project vicinity, a conspicuous sign that, at a minimum, identifies: the FERC project name and number, and a statement that the project is licensed by the Commission; the licensee name and contact information for obtaining additional project recreation information; and permissible times and activities. In addition, the licensee shall post at such locations conspicuous notice that the recreation facilities are open to all members of the public without discrimination.

(b) The licensee shall make available for inspection at its local offices in the project vicinity, and on any project website, the approved recreation plan, any recreation-related reports approved by the Commission, and the entire license instrument, properly in-

dexed for easy reference to the license conditions designated for publications in § 8.1.

[Order 852, 83 FR 67068, Dec. 28, 2018]

§ 8.3 Discrimination prohibited.

Every licensee maintaining recreation facilities for the use of the public at a licensed project, or employing or permitting any other person to maintain such facilities, shall permit, or require such other person to permit, equal and unobstructed use of such facilities to all members of the public without regard to race, color, religious creed or national origin.

[Order 341, 32 FR 6488, Apr. 27, 1967]

PART 9—TRANSFER OF LICENSE OR LEASE OF PROJECT PROPERTY

APPLICATION FOR TRANSFER OF LICENSE

Sec.

- 9.1 Filing.
- 9.2 Contents of application.
- 9.3 Transfer.

APPLICATION FOR LEASE OF PROJECT PROPERTY

9.10 Filing.

AUTHORITY: Sec. 8, 41 Stat. 1068, sec. 309, 49 Stat. 858; 16 U.S.C. 801, 825h; Pub. L. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 *et seq.*)

CROSS REFERENCE: For application for approval of transfer of license, see § 131.20 of this chapter.

APPLICATION FOR TRANSFER OF LICENSE

§ 9.1 Filing.

Any licensee desiring to transfer a license or rights thereunder granted, and the person, association, corporation, State, or municipality desiring to acquire the same, shall jointly or severally file an application for approval of such transfer and acquisition. Such application shall be verified, shall conform to § 131.20 of this chapter, and shall be filed in accordance with § 4.32 of this chapter.

[Order 501, 39 FR 2267, Jan. 18, 1974, as amended by Order 2002, 68 FR 51139, Aug. 25, 2003]

§ 9.2 Contents of application.

Every application for approval of such transfer and acquisition by the

§9.3

proposed transferee shall set forth in appropriate detail the qualifications of the transferee to hold such license and to operate the property under license, which qualifications shall be the same as those required of applicants for license.

[Order 141, 12 FR 8491, Dec. 19, 1947]

CROSS REFERENCES: For administrative rules relating to applicants for license, see part 385 of this chapter. For regulations as to licenses and permits, see part 4 of this chapter.

§9.3 Transfer.

(a) Approval by the Commission of transfer of a license is contingent upon the transfer of title to the properties under license, delivery of all license instruments, and a showing that such transfer is in the public interest. The transferee shall be subject to all the conditions of the license and to all the provisions and conditions of the act, as though such transferee were the original licensee and shall be responsible for the payment of annual charges which accrue prior to the date of transfer.

(b) When the Commission shall have approved the transfer of the license, its order of approval shall be forwarded to the transferee for acknowledgment of acceptance. Unless application for rehearing is filed, or unless the order is stayed by the Commission, the order shall become final thirty (30) days from date of issuance and the acknowledgment of acceptance shall be filed in triplicate with the Commission within sixty (60) days from date of issuance accompanied by a certified copy of the deed of conveyance or other instrument evidencing transfer of the property under license, together with evidence of the recording thereof.

[Order 175, 19 FR 5217, Aug. 18, 1954]

APPLICATION FOR LEASE OF PROJECT PROPERTY

§9.10 Filing.

Any licensee desiring to lease the project property covered by a license or any part thereof, where the lessee is granted the exclusive occupancy, possession, or use of project works for purposes of generating, transmitting, or distributing power, and the person, as-

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sociation, or corporation, State, or municipality desiring to acquire the project property by lease, must file the proposed lease together with the application in accordance with §4.32(b)(1) of this chapter. The application and the Commission's action on it will, in general, be subject to the provisions of §§9.1 through 9.3.

[Order 737, 75 FR 43403, July 26, 2010]

PART 11—ANNUAL CHARGES UNDER PART I OF THE FEDERAL POWER ACT

Subpart A—Charges for Costs of Administration, Use of Tribal Lands and Other Government Lands, and Use of Government Dams

Sec.

- 11.1 Costs of administration.
- 11.2 Use of government lands.
- 11.3 Use of government dams, excluding pumped storage projects.
- 11.4 Use of government dams for pumped storage projects, and use of tribal lands.
- 11.5 Exemption of minor projects.
- 11.6 Exemption of State and municipal licensees and exemptees.
- 11.7 Effective date.
- 11.8 Adjustment of annual charges.

Subpart B—Charges for Headwater Benefits

- 11.10 General provision; waiver and exemption; definitions.
- 11.11 Energy gains method of determining headwater benefits charges.
- 11.12 Determination of section 10(f) costs.
- 11.13 Energy gains calculations.
- 11.14 Procedures for establishing charges without an energy gains investigation.
- 11.15 Procedures for determining charges by energy gains investigation.
- 11.16 Filing requirements.
- 11.17 Procedures for payment of charges and costs.

Subpart C—General Procedures

- 11.20 Time for payment.
- 11.21 Penalties.

APPENDIX A TO PART 11—FEE SCHEDULE FOR
FY 2025

AUTHORITY: 16 U.S.C. 792-828c; 42 U.S.C. 7101-7352.