

(7) 5 U.S.C. 552a(f); 18 CFR 3b.220–3b.224—Requiring agency rules for determining if an individual is the subject of a record, for handling requests for access, for granting requests for access, for amending records, and for fees.

PART 3c—STANDARDS OF CONDUCT

Sec.

3c.1 Cross-reference to employee ethical conduct standards and financial disclosure regulations.

3c.2 Nonpublic information.

3c.3 Reporting fraud, waste, abuse, and corruption and cooperation with official inquiries.

AUTHORITY: 15 U.S.C. 717g; 16 U.S.C. 825(b); 42 U.S.C. 7171, 7172.

SOURCE: Order 589, 61 FR 43415, Aug. 23, 1996, unless otherwise noted.

§3c.1 Cross-reference to employee ethical conduct standards and financial disclosure regulations.

Employees of the Federal Energy Regulatory Commission (Commission) are subject to the executive branch-wide financial disclosure regulations at 5 CFR part 2634, the Standards of Ethical Conduct for Employees of the Executive Branch at 5 CFR part 2635, the Commission regulations at 5 CFR part 3401 which supplement the Standards of Ethical Conduct, and the executive branch-wide employee responsibilities and conduct regulation at 5 CFR part 735.

§3c.2 Nonpublic information.

(a) Section 301(b) (16 U.S.C. 825(b)) of the Federal Power Act and section 8(b) (15 U.S.C. 717g) of the Natural Gas Act prohibit any employee, in the absence of Commission or court direction, from

divulging any fact or information which may come to his or her knowledge during the course of examination of books or other accounts.

(b) The nature and time of any proposed action by the Commission are confidential and shall not be divulged to anyone outside the Commission. The Secretary of the Commission has the exclusive responsibility and authority for authorizing the initial public release of information concerning Commission proceedings.

§3c.3 Reporting fraud, waste, abuse, and corruption and cooperation with official inquiries.

(a) Employees shall, in fulfilling the obligation of 5 CFR 2635.101(b)(11), report fraud, waste, abuse, and corruption in Commission programs, including on the part of Commission employees, contractors, subcontractors, grantees, or other recipients of Commission financial assistance, to the Office of Inspector General or other appropriate Federal authority.

(b) All alleged violations of the ethical restrictions described in §3c.1 that are reported in accordance with paragraph (a) of this section to an appropriate authority within the Commission shall in turn be referred by that authority to the Designated Agency Ethics Official or his or her designee, or the Inspector General.

(c) Employees shall cooperate with official inquiries by the Inspector General; they shall respond to questions truthfully under oath when required, whether orally or in writing, and must provide documents and other materials concerning matters of official interest. An employee is not required to respond to such official inquiries if answers or testimony may subject the employee to criminal prosecution.

SUBCHAPTER B—REGULATIONS UNDER THE FEDERAL POWER ACT

PART 4—LICENSES, PERMITS, EXEMPTIONS, AND DETERMINATION OF PROJECT COSTS

Subpart A—Determination of Cost of Projects Constructed Under License

Sec.

- 4.1 Initial cost statement.
- 4.3 Report on project cost.
- 4.4 Service of report.
- 4.5 Time for filing protest.
- 4.6 Burden of proof.
- 4.7 Findings.

Subpart B—Determination of Fair Value of Constructed Projects, Under Section 23(a) of the Act

- 4.10 Valuation data.
- 4.11 Reports.
- 4.12 Service of report.
- 4.13 Time for filing protest.
- 4.14 Hearing upon report.

Subpart C—Determination of Cost of Constructed Projects not Subject to Section 23(a) of the Act

- 4.20 Initial statement.
- 4.21 Reports.
- 4.22 Service of report.
- 4.23 Time for filing protest.
- 4.24 Determination of cost.
- 4.25 Findings.

Subpart D—Application for Preliminary Permit, License or Exemption: General Provisions

- 4.30 Applicability and definitions.
- 4.31 Initial or competing application: who may file.
- 4.32 Acceptance for filing or rejection; information to be made available to the public; requests for additional studies.
- 4.33 Limitations on submitting applications.
- 4.34 Hearings on applications; consultation on terms and conditions; motions to intervene.
- 4.35 Amendment of application; date of acceptance.
- 4.36 Competing applications: deadlines for filing; notices of intent; comparisons of plans of development.
- 4.37 Rules of preference among competing applications.
- 4.38 Consultation requirements.
- 4.39 Specifications for maps and drawings.

Subpart E—Application for License for Major Unconstructed Project and Major Modified Project

- 4.40 Applicability.
- 4.41 Contents of application.

Subpart F—Application for License for Major Project—Existing Dam

- 4.50 Applicability.
- 4.51 Contents of application.

Subpart G—Application for License for Minor Water Power Projects and Major Water Power Projects 5 Megawatts or Less

- 4.60 Applicability and notice to agencies.
- 4.61 Contents of application.

Subpart H—Application for License for Transmission Line Only

- 4.70 Applicability.
- 4.71 Contents of application.

Subpart I—Application for Preliminary Permit; Amendment and Cancellation of Preliminary Permit

- 4.80 Applicability.
- 4.81 Contents of application.
- 4.82 Amendments.
- 4.83 Cancellation and loss of priority.
- 4.84 Surrender of permit.

Subpart J—Exemption of Small Conduit Hydroelectric Facilities

- 4.90 Applicability and purpose.
- 4.91 [Reserved]
- 4.92 Contents of exemption application.
- 4.93 Action on exemption applications.
- 4.94 Standard terms and conditions of exemption.
- 4.95 Surrender of exemption.
- 4.96 Amendment of exemption.

Subpart K—Exemption of Small Hydroelectric Power Projects of 5 Megawatts or Less

- 4.101 Applicability.
- 4.102 Surrender of exemption.
- 4.103 General provisions for case-specific exemption.
- 4.104 Amendment of exemption.
- 4.105 Action on exemption applications.
- 4.106 Standard terms and conditions of case-specific exemption from licensing.