

(Pub. L. 90-135, title II, §206, Nov. 14, 1967, 81 Stat. 443.)

SUBCHAPTER III—MISCELLANEOUS
PROVISIONS

§ 791. Communications Act of 1934; nonmodification

This chapter does not modify in any manner the provisions of the Communications Act of 1934, as amended [47 U.S.C. 151 et seq.].

(Pub. L. 90-135, title III, §301, Nov. 14, 1967, 81 Stat. 444.)

REFERENCES IN TEXT

The Communications Act of 1934, as amended, referred to in text, is act June 19, 1934, ch. 652, 48 Stat. 1064, as amended, which is classified principally to chapter 5 (§151 et seq.) of Title 47, Telegraphs, Telephones, and Radiotelegraphs. For complete classification of this Act to the Code, see section 609 of Title 47 and Tables.

§ 792. Authorization of appropriations

There are authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 90-135, title III, §302, Nov. 14, 1967, 81 Stat. 444.)

**CHAPTER 17A—ALASKA FEDERAL-CIVILIAN
ENERGY EFFICIENCY SWAP**

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795.	Definitions.
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795c.	Implementation powers and limitations. <ul style="list-style-type: none"> (a) Accommodation of needs of non-Federal person for electric energy. (b) Availability of revenues from sales. (c) Exercise of authorities. (d) Negotiation and execution of contracts and other agreements.
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§ 795. Definitions

As used in this chapter—

(1) The term “non-Federal electric energy” means electric energy generated by any facility other than a federally owned electric generating facility.

(2) The term “agency” means the head of any department, agency, or instrumentality of the United States.

(3) The term “federally generated electric energy” means any electric power generated by an electric generating facility owned and operated by an agency.

(4) The term “non-Federal person” means any corporation, cooperative, municipality, or other non-Federal entity which generates non-Federal electric energy.

(Pub. L. 96-571, §2, Dec. 22, 1980, 94 Stat. 3341.)

SHORT TITLE

Section 1 of Pub. L. 96-571 provided that: “This Act [enacting this chapter] shall be referred to as the ‘Alas-

ka Federal-Civilian Energy Efficiency Swap Act of 1980.’”

§ 795a. Sale of electric energy; contracting authority; required determinations; pricing policies

(a) For the purposes of conserving oil and natural gas and better utilizing coal, any agency is authorized to sell to any non-Federal person, and to enter into contracts for the sale to any non-Federal person of, electric energy generated by coal-fired electric generating facilities of such agency in Alaska without regard to any provision of law which precludes such sale where such energy is available from other local sources, if the agency determines that—

(1) such energy is generated by an existing coal-fired generating facility;

(2) such energy is surplus to such agency’s needs and is in excess of the electric energy specifically generated for consumption by, or necessary to serve the requirements of, any department, agency, or instrumentality of the United States;

(3) the costs to the ultimate consumers of such energy is less than the costs which, in the absence of such sale, would be incurred by such consumers for the purchase of an equivalent amount of energy; and

(4) such sale will result in a reduction in the total consumption of oil or natural gas by the non-Federal person purchasing such electric energy below that consumption which would occur in the absence of such sale.

(b) Federally generated electric energy sold by an agency as provided in subsection (a) of this section shall be priced to recover the fuel costs and variable operation and maintenance costs of the Federal generating facility concerned which costs are attributable to such sale, plus an amount equal to one-half the difference between—

(1) the costs of producing the electric energy by coal generation, and

(2) the costs of producing electric energy by the oil or gas generation being displaced.

(Pub. L. 96-571, §3, Dec. 22, 1980, 94 Stat. 3341.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 795c of this title.

§ 795b. Purchase of electric power; authority; applicable criteria

For purposes of economy and efficiency and conserving oil and natural gas, whenever practicable and consistent with other laws applicable to any agency and whenever consistent with the requirements applicable to any agency, such agency shall endeavor to purchase electric power from any non-Federal person for consumption in Alaska by any facility of such agency where such purchase—

(1) will result in a savings to other consumers of electric energy sold by such non-Federal person without increasing the cost incurred by any agency for electric energy, or

(2) will result in a cost savings to such agency of electric energy without increasing costs to other consumers of electric energy,

taking into account the remaining useful life of any facility available to such agency to gen-