

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 generate electric energy for such agency and the cost of maintaining such facility on a standby basis.

(Pub. L. 96-571, § 4, Dec. 22, 1980, 94 Stat. 3342.)

§ 795c. Implementation powers and limitations

(a) Accommodation of needs of non-Federal person for electric energy

Nothing in this chapter shall be construed as requiring or authorizing any department, agen-

cy, or instrumentality of the United States to construct any new electric generating facility or related facility, to modify any existing facility, or to employ reserve or standby equipment in order to accommodate the needs of any non-Federal person for electric energy.

(b) Availability of revenues from sales

Revenues received by any agency pursuant to section 795a of this title from the sale of electric energy generated from any facility of such agency shall be available to the agency without fiscal year limitation for the purchase of fuel and for operation, maintenance, and other costs associated with such facility.

(c) Exercise of authorities

The authorities of this chapter shall be exercised for such periods and pursuant to such terms and conditions as the agency concerned deems necessary consistent with the provisions of this chapter and consistent with its responsibilities under other provisions of law.

(d) Negotiation and execution of contracts and other agreements

All contracts or other agreements executed under this chapter, notwithstanding any other provision of law, shall be negotiated and executed by the agency selling or purchasing electric energy under this chapter.

(Pub. L. 96-571, § 5, Dec. 22, 1980, 94 Stat. 3342.)

§ 795d. Repealed. Pub. L. 105-362, title IV, § 401(g), Nov. 10, 1998, 112 Stat. 3282

Section, Pub. L. 96-571, § 6, Dec. 22, 1980, 94 Stat. 3342; Pub. L. 103-437, § 14(c), Nov. 2, 1994, 108 Stat. 4591, related to biennial reports by Secretary of Energy on action taken by agencies pursuant to this chapter.

CHAPTER 18—NATIONAL VISITOR CENTER FACILITIES; UNION STATION REDEVELOPMENT; CAPITOL GUIDE SERVICE

SUBCHAPTER I—UNION STATION

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