

Diaz

Nov. 5, 1976

Honorable Thomas C. H. Webster
United States Commissioner
Chairman, Susquehanna River Basin
Commission
Interior Building
Washington, D. C. 20240

Dear Mr. Chairman:

This is in further response to your letter dated October 4, 1976, in which you enclosed for this Commission's approval a Memorandum of Understanding relating to inter-agency procedures for review of hydroelectric projects within the Susquehanna River Basin. The Memorandum is the result of cooperative efforts by the staffs of both Commissions. We note, too, that the Memorandum has been adopted by the Susquehanna River Basin Commission.

We have reviewed the Memorandum and find that it would facilitate the orderly review of hydroelectric projects subject to licensing by the Federal Power Commission. Such orderly review would be achieved through the timely exchange of information where certain designated applications relating to hydroelectric projects are filed with either Commission and through continued cooperative staff efforts. Therefore, we approve the Memorandum of Understanding, as proposed.

We herewith enclose a copy of the Memorandum of Understanding approved by this Commission.

By Direction of the Commission.

Secretary

OGC
Diaz, R.:lct
10/22/76

cc: Files/SEC/ED/Vault(2)/OPI/PWR(2)/Mr. Journey/Mrs. Van Cleve/
Mr. Diaz/Mr. Gossel/OGC

Central File



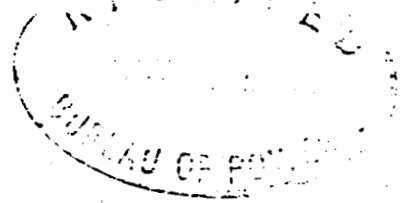
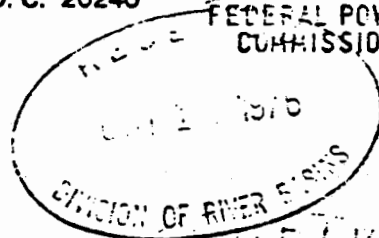
SUSQUEHANNA RIVER BASIN COMMISSION

INTERIOR BUILDING

WASHINGTON, D. C. 20240

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FEDERAL POWER COMMISSION



OFFICE OF
UNITED STATES COMMISSIONER

October 4, 1976

Honorable Richard L. Dunham
Chairman, Federal Power Commission
825 North Capitol Street, N. E.
Washington, D. C. 20426

Dear Mr. Chairman:

Enclosed is a copy of a Memorandum of Understanding relative to the review activities of our respective Commissions which has been cooperatively worked out by our staffs.

Inasmuch as both of us have statutory requirements for review of projects within the Susquehanna Basin, I feel this Agreement will facilitate the review of projects eliminating undue delay. In my estimation, it succinctly reflects the desires of this Administration to simplify the Federal permit procedures, and I look forward to receiving your assent.

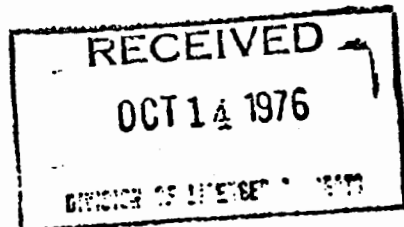
Sincerely,

Thomas C. H. Webster
United States Commissioner
Chairman, Susquehanna River Basin Commission

Enclosure

RECEIVED

OCT 15 1976



Office of the General Counsel
Hydro Section

Proposed: September 14, 1976

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE FEDERAL POWER COMMISSION
AND
THE SUSQUEHANNA RIVER BASIN COMMISSION

Whereas, the Susquehanna River Basin Commission was established pursuant to the Susquehanna River Basin Compact (Pub. L. 91-575, 84 Stat. 1509 et seq.) with duties and responsibilities for comprehensive planning, programming and management of the water and related resources of the Susquehanna River Basin (Basin); and

Whereas, the Federal Power Commission was established pursuant to the Federal Power Act (16 U.S.C. §§791a - 825r), as amended, with duties and responsibilities, among others, to regulate the comprehensive development and use of the waters of the United States for generation of hydroelectric power, and other beneficial public purposes, including recreation; and

Whereas, both Commissions desire to minimize duplication of effort and the burden on any applicant coming before the Commissions; and

Whereas, the public interest will be served if the responsibilities and duties of the Commissions are coordinated and efficiently executed;

NOW THEREFORE, the Susquehanna River Basin Commission and the Federal Power Commission agree as follows:

1. Inasmuch as the Federal Power Commission's exercise of its responsibilities under Sections 7(c) and (e) of the Natural Gas Act, 15 U.S.C. §§717 (c) and (e), is performed in a manner that is sufficient to meet the needs of the Susquehanna River Basin Commission, the provisions of this Memorandum of Understanding pertain only to the Commissions' functions under the Federal Power Act.

2. Each Commission will send to the other applications relating to the license, relicense, major amendment of license, or preliminary permits for hydroelectric projects under Part I of the Federal Power Act. Copies of such applications will be furnished regardless of completeness to facilitate concurrent review: Provided, that copies of any other application will be furnished upon request.
3. The staffs of both Commissions will review applications in cooperation with each other whenever feasible, such cooperation to involve access to data, joint work efforts, or other appropriate activities.
4. The Commissions or designated staff will conduct joint hearings with respect to an application to the extent permitted by their respective rules and regulations and if both Commissions agree it is feasible. If joint hearings are not feasible, each Commission will facilitate participation by the other in its hearings as appropriate.
5. Prior to imposition of any conditions on any Licensee or permittee, each Commission will solicit the comments and recommendations of the other with respect to pending applications and will supply copies of similar comments and recommendations received from other agencies. Each Commission will make every reasonable effort to avoid any possible conflicting conditions of approval by utilizing inter-staff conferences for the purpose of discussion and coordination of possible conditions. Consistent with its statutory responsibilities and the evidence of record in specific proceedings before it, the intention of each Commission is to give due regard to the recommendations and the proposed conditions of approval of the other.
6. This Memorandum of Understanding may be revised or terminated at any time by mutual consent of both Commissions.
7. This Memorandum of Understanding becomes effective immediately upon approval by both Commissions.
8. The Commissions shall take necessary steps to implement the procedures established herein.