

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.

Effective Date: November 5, 1976