

ELECTRONIC CODE OF FEDERAL REGULATIONS

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[Title 18](#) → [Chapter I](#) → [Subchapter B](#) → [Part 16](#) → [Subpart B](#) → §16.12

Title 18: Conservation of Power and Water Resources

[PART 16—PROCEDURES RELATING TO TAKEOVER AND RELICENSING OF LICENSED PROJECTS](#)

[Subpart B—Applications for Projects Subject to Sections 14 and 15 of the Federal Power Act](#)

§16.12 Application for exemption from licensing by a licensee whose license is subject to sections 14 and 15 of the Federal Power Act.

- (a) An existing licensee whose license is subject to sections 14 and 15 of the Federal Power Act may apply for an exemption for the project.
- (b) An applicant for an exemption under paragraph (a) must meet the requirements of subpart K or subpart J of part 4 of this chapter, and §§16.5, 16.6, 16.7, 16.8, 16.9(b) (1), (2) (except the requirement to comply with §§4.41, 4.51, or 4.61 of this chapter), 16.9(c), 16.10(a), 16.10(b), and 16.10(d).
- (c) The Commission will process an application by an existing licensee for an exemption for the project in accordance with §§16.9(b)(3), 16.9(b)(4), and 16.9(d).
- (d) If a license application is filed in competition with an application for exemption filed by the existing licensee, the Commission will decide among the competing applications in accordance with the standards of §16.13 and not in accordance with the provisions of §4.37(d)(2) of this chapter.

[Order 513, 54 FR 23806, June 2, 1989, as amended by Order 699, 72 FR 45324, Aug. 14, 2007]

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