

## **42 U.S.C.**

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Title 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 84 - DEPARTMENT OF ENERGY

SUBCHAPTER IV - FEDERAL ENERGY REGULATORY COMMISSION

Sec. 7178 - Federal Energy Regulatory Commission fees and annual charges

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### **§7178. Federal Energy Regulatory Commission fees and annual charges**

#### **(a) In general**

(1) Except as provided in paragraph (2) and beginning in fiscal year 1987 and in each fiscal year thereafter, the Federal Energy Regulatory Commission shall, using the provisions of this section and authority provided by other laws, assess and collect fees and annual charges in any fiscal year in amounts equal to all of the costs incurred by the Commission in that fiscal year.

(2) The provisions of this section shall not affect the authority, requirements, exceptions, or limitations in sections 803(e) and 823a(e) of title 16.

#### **(b) Basis for assessments**

The fees or annual charges assessed shall be computed on the basis of methods that the Commission determines, by rule, to be fair and equitable.

#### **(c) Estimates**

The Commission may assess fees and charges under this section by making estimates based on data available to the Commission at the time of assessment.

#### **(d) Time of payment**

The Commission shall provide that the fees and charges assessed under this section shall be paid by the end of the fiscal year for which they were assessed.

#### **(e) Adjustments**

The Commission shall, after the completion of a fiscal year, make such adjustments in the assessments for such fiscal year as may be necessary to eliminate any overrecovery or underrecovery of its total costs, and any overcharging or undercharging of any person.

#### **(f) Use of funds**

All moneys received under this section shall be credited to the general fund of the Treasury.

#### **(g) Waiver**

The Commission may waive all or part of any fee or annual charge assessed under this section for good cause shown.

(Pub. L. 99–509, title III, §3401, Oct. 21, 1986, 100 Stat. 1890.)

#### **EDITORIAL NOTES**

##### **CODIFICATION**

Section was enacted as part of the Omnibus Budget Reconciliation Act of 1986, and not as part of the Department of Energy Organization Act which comprises this chapter.