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Docket No. RM11-6-000

## FERC Seeks Comment on Charges for Use of Government Lands

The Federal Energy Regulatory Commission (FERC) is seeking public comment on how best to calculate rental rates for the use of government lands by hydropower projects. FERC-regulated hydropower licensees must compensate the U.S. government for the use of federal lands through payment of an annual fee.

FERC issued a Notice of Inquiry today seeking suggestions on how to create an administratively practical formula that applies uniformly to all hydropower licensees, does not impose exorbitant costs on the Commission and reflects reasonably accurate land values.

The inquiry addresses a Jan. 4, 2011, decision by the Court of Appeals for the District of Columbia Circuit vacating the Commission's implementation of its fee schedule for the collection of annual charges under its regulations. The Court said that the Administrative Procedure Act requires FERC to seek notice and comment on the methodology used to calculate annual charges because the fee schedule is based on the U.S. Forest Service land value index, and the Forest Service made changes to the methodology underlying this index.

Comments are due 60 days after publication in the *Federal Register*.

R-11-18

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