

For the reasons set out in the preamble, 18 CFR Part 1310 is revised to read as follows:

PART 1310—ADMINISTRATIVE COST RECOVERY

Sec.

1310.1 Purpose.

1310.2 Application.

1310.3 Assessment of administrative charge.

Authority: 16 U.S.C. 831–831dd; 31 U.S.C. 9701.

§ 1310.1 Purpose.

The purpose of the regulations in this part is to establish a schedule of fees to be charged in connection with the disposition and uses of, and activities affecting, real property in TVA's custody or control; approval of plans under Section 26a of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. 831y–1); and certain other activities in order to help ensure that such activities are self-sustaining to the full extent possible.

§ 1310.2 Application.

(a) *General.* TVA will undertake the following actions only upon the condition that the applicant pay to TVA such administrative charge as the Vice-President of Land Management or the Manager of Power Properties (hereinafter "responsible land manager"), as appropriate, shall assess in accordance with § 1310.3; provided, however, that the responsible land manager may waive payment where he/she determines that there is a corresponding benefit to TVA or that such waiver is otherwise in the public interest:

(1) Conveyances and abandonment of TVA land or landrights.

(2) Licenses and other uses of TVA land not involving the disposition of TVA real property or interests in real property.

(3) Actions taken to suffer the presence of unauthorized fills and structures over, on, or across TVA land or landrights, and including actions not involving the abandonment or disposal of TVA land or landrights.

(4) Actions taken to approve fills, structures, or other obstructions under Section 26a of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. 831y–1), and TVA's regulations issued thereunder at part 1304 of this chapter.

(b) *Exemption.* An administrative charge shall not be made for the following actions:

(1) Conveyances pursuant to section 4(k)(d) of the Tennessee Valley

Authority Act of 1933, as amended (16 U.S.C. 831c(k)(d)).

(2) Releases of unneeded mineral right options.

(3) TVA phosphate land and mineral transactions.

(4) Permits and licenses for use of TVA land by distributors of TVA power.

(c) *Quota deer hunt and turkey hunt applications.* Quota deer hunt and turkey hunt permit applications will be processed by TVA if accompanied by the fee prescribed in § 1310.3(d).

§ 1310.3 Assessment of administrative charge.

(a) *Range of charges.* Except as otherwise provided herein, the responsible land manager shall assess a charge which he/she determines in his/her sole judgment to be approximately equal to the administrative costs incurred by TVA for each action including both the direct cost to TVA and applicable overheads. In determining the amount of such charge, the responsible land manager may establish a standard charge for each category of action rather than determining the actual administrative costs for each individual action. The standard charge shall be an amount approximately equal to TVA's actual average administrative costs for the category of action. Charges shall be not less than the minimum or greater than the maximum amount specified herein, except as otherwise provided in paragraph (c) of this section.

(1) Land transfers—\$500–\$10,000.

(2) Use permits or licenses—\$50–\$5,000.

(3) Actions taken to approve plans for fills, structures, or other obstructions under Section 26a of the TVA Act—\$100–\$5,000.

(4) Abandonment of transmission line easements and rights-of-way—\$100–\$1,500.

(5) Quota deer hunt or turkey hunt applications—\$5–\$25.

(b) *Basis of charge.* The administrative charge assessed by the responsible land manager shall, to the extent applicable, include the following costs:

(1) Appraisal of the land or landrights affected;

(2) Assessing applicable rental fees;

(3) Compliance inspections and other field investigations;

(4) Title and record searches;

(5) Preparation for and conducting public auction and negotiated sales;

(6) Mapping and surveying;

(7) Preparation of conveyance instrument, permit, or other authorization or approval instrument;

(8) Coordination of the proposed action within TVA and with other Federal, State, and local agencies;

(9) Legal review; and

(10) Administrative overheads associated with the transaction.

(c) *Assessment of charge when actual administrative costs significantly exceed established range.* When the responsible land manager determines that the actual administrative costs are expected to significantly exceed the range of costs established in paragraph (a) of this section, such manager shall not proceed with the TVA action until agreement is reached on payment of a charge calculated to cover TVA's actual administrative costs.

(d) *Quota deer hunt and turkey hunt application fees.* A fee for each person in the amount prescribed by the responsible land manager must accompany the complete application form for a quota deer hunt and turkey hunt permit. Applications will not be processed unless accompanied by the correct fee amount. No refunds will be made to unsuccessful applicants, except that fees received after the application due date will be refunded.

(e) *Additional charges.* In addition to the charges assessed under these regulations, TVA may impose a charge in connection with environmental reviews or other environmental investigations it conducts under its policies or procedures implementing the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*).

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Copyright Office

37 CFR Parts 251, 252, 253, 254, 255, 256, 257, 258, and 259

[Docket No. RM 93–12 and RM 94–1A]

Copyright Arbitration Royalty Panels; Correction

AGENCY: Copyright Office, Library of Congress.

ACTION: Correction to regulations.

SUMMARY: This document contains corrections to the former Copyright Royalty Tribunal (CRT) regulations that were reissued by the Library of Congress and the Copyright Office on December 22, 1993, and to the interim copyright arbitration rules that were published on May 9, 1994.

EFFECTIVE DATE: These corrections are effective February 13, 1995.

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