

National Archives and Records Administration  
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0138-2024-0010

Status: APPROVED  
Date Approved: 01/21/2025

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## General Information

Agency or Establishment	Federal Energy Regulatory Commission
Record/Scheduling Group	0138 - Records of the Federal Energy Regulatory Commission
Records Schedule Applies To	Agency-wide
Schedule Subject	Conduit Determinations (CD Dockets)
Additional Schedule Information	<p>Background Information:</p> <p>Under the Hydropower Regulatory Efficiency Act of 2013, as amended by America’s Water Infrastructure Act of 2018, the Federal Energy Regulatory Commission is tasked with reviewing proposed projects, using the criteria listed below, to determine if it meets the “qualifying conduit hydropower facilities” definition. A “qualifying conduit hydropower facility” must meet the following provisions:</p> <ol style="list-style-type: none"><li>1. A conduit is any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption, and is not primarily for the generation of electricity.</li><li>2. The facility generates electric power using only the hydroelectric potential of a non-federally owned conduit.</li><li>3. The facility has an installed capacity that does not exceed 40 megawatts (MW).</li><li>4. The facility was not licensed or exempted from the licensing requirements of Part I of the FPA on or before August 9, 2013.</li></ol> <p>While qualifying conduit hydropower facilities are not required to be licensed or exempted by the Commission, any person, State, or municipality proposing to construct a facility that meets the criteria must file a Notice of Intent to Construct a Qualifying Conduit Hydropower Facility with the Commission. The Commission reviews filings submitted as “qualifying conduit hydropower facilities” and makes a final determination via a Conduit Determination under the CD docket prefix.</p> <p>Justification Information:</p> <p>The Commission has a need to retain these electronic records for a period of 20 years post determination in the event the entity who proposed to construct a facility had a discrepancy with constructing the facility.</p>

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Is There a Classified Version of This  
Schedule? No

Is consultation and coordination with  
Tribal Governments required? No - the records covered by this schedule do not implicate Tribal  
interests

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## Item Count

Total number of disposition items: 1

Number of Temporary disposition items: 1

Number of Permanent disposition items: 0

Number of Items with Disposition Not Approved: 0

Number of Inactive disposition items: 0

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Outline of Records Schedule Items for DAA-0138-2024-0010

<b>Item #</b>	<b>Title</b>	<b>Disposition</b>
0001	Conduit Determinations (CD Dockets)	Temporary

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Records Schedule Items

<b>DAA-0138-2024-0010-0001</b>		<b>STATUS: Active</b>
<b>ITEM GENERAL INFORMATION</b>		
Item Title	Conduit Determinations (CD Dockets)	
Item Description	<p>Under the Hydropower Regulatory Efficiency Act of 2013, as amended by America’s Water Infrastructure Act of 2018, the Federal Energy Regulatory Commission is tasked with reviewing proposed projects, using the criteria listed below, to determine if it meets the “qualifying conduit hydropower facilities” definition. A “qualifying conduit hydropower facility” must meet the following provisions:</p> <ol style="list-style-type: none"> <li>1. A conduit is any tunnel, canal, pipeline, aqueduct, flume, ditch, or similar manmade water conveyance that is operated for the distribution of water for agricultural, municipal, or industrial consumption, and is not primarily for the generation of electricity.</li> <li>2. The facility generates electric power using only the hydroelectric potential of a non-federally owned conduit.</li> <li>3. The facility has an installed capacity that does not exceed 40 megawatts (MW).</li> <li>4. The facility was not licensed or exempted from the licensing requirements of Part I of the FPA on or before August 9, 2013.</li> </ol> <p>While qualifying conduit hydropower facilities are not required to be licensed or exempted by the Commission, any person, State, or municipality proposing to construct a facility that meets the criteria must file a Notice of Intent to Construct a Qualifying Conduit Hydropower Facility with the Commission. The Commission reviews filings submitted as “qualifying conduit hydropower facilities” and makes a final determination via a Conduit Determination under the CD docket prefix.</p>	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
<b>MANUAL CITATION</b>		
Agency Code	0138	
Manual Title	N/A	
<b>SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS</b>		
Does this item supersede existing disposition authorities?	No	

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Is this item a deviation from the GRS?	No
<b>DISPOSITION INSTRUCTION</b>	
Final Disposition	Temporary
Cutoff Instructions	Cut off after after all agency actions have been taken
Retention Period	Destroy 20 year(s) after cutoff
<b>ADDITIONAL INFORMATION</b>	
Legal citation related to record retention (if applicable)	Hydropower Regulatory Efficiency Act of 2013, as amended America's Water Infrastructure Act of 2018
Are any of the records covered by this item national security classified?	No
GAO Approval Required	No

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Signatory Information

Action	User	Date
Approve	Colleen Shogan	01/21/2025