

REGULATORY COMPLIANCE

Rural Utility Service (RUS) eliminates annual publishing requirements of the Statement of Non-discrimination

The USDA's Rural Utility Service (RUS) recently issued notice that it was eliminating the requirement for RUS borrowers to formally publish their utility's Statement of Nondiscrimination within local newspapers annually. The publishing of this notice had been a long time compliance requirement for all borrowers. In a memorandum dated March 19, 2018, the RUS states that they now believe the publishing requirement is outdated and is no longer necessary. RUS borrowers must still adhere to other public notice stipulations as outlined under the USDA's Equal Opportunity Public Policy (Departmental Regulation DR-4300-003). Policy guidance can be found at <https://www.ocio.usda.gov/policy-directives-records-forms/directives-categories>

Federal Motor Carrier Safety Administration (FMCSA) reduces Unified Carrier Registration Fees beginning in 2018

FMCSA issued notice in January 2018 that required annual fees for interstate commercial motor carriers covered under the Unified Carrier Registration (UCR) system would be reduced beginning in 2018. These annual fees, established in 2005, are required to be paid by interstate covered motor carriers annually based upon their fleet size. These funds are then earmarked to supplement state motor carrier registration and safety efforts. Since the fees generated by the UCR system recently for the first time exceeded its statutory maximum, a fee reduction of approximately 9% for 2018 and 4.5% in 2019 will be instituted by the Agency to reduce fee revenues. State enforcement of the collection of the 2018 UCR fees is being delayed until the revised fee structure takes effect in April 2018. (FR Vol. 83, No. 4, January 5, 2018, P. 605).

US Forest Service (USFS) requests public comment relating to application of National Environmental Policy Act (NEPA) on federal activities

In January 2018, the USFS issued a request for public comment regarding current application of the National Environmental Policy Act requirements in context to national forest land activities, use and management. The Service is seeking input from the public on ways it can achieve greater efficiency in its environmental analysis of activities on public lands under the Act. NEPA is the overriding regulatory act relating to environmental impact on federal lands through Service permitting and various land management decisions. Land management activities include utility right-of-way maintenance activities occurring on federal property as dictated by approved operations and maintenance (O&M) agreements. NRECA along with other utility representatives are using this comment opportunity to raise concerns regarding lengthy delays encountered when seeking use permits relating to maintenance of electrical facilities on forest properties and is also seeking to expand the exclusion for utility activities in context to environmental assessments required under NEPA. Proposed revisions to the NEPA regulations are expected in April 2018. These efforts are a part of a broader governmental effort to review NEPA applications across all Federal agency activity (FR Vol. 83, No. 2, January 3, 2018, P. 302).

2018 IEC Regulatory Compliance Program Annual Member Meeting held on March 21, 2018

The IEC Regulatory Compliance Program will held its 2018 Annual Member Informational meeting on March 21, 2018. The meeting, held via webinar, is an annual opportunity for participating members to be updated on program activity and administration. This year's meeting was attended by 29 of the participating 33 program members. A survey has been sent to meeting participants seeking feedback relating to the content and usefulness of the webinar.