

**19 October 2017**

Federal Energy Regulatory Commission (FERC or Commission) hydropower licensing processes are perennially criticized for how long they take and for the regulatory uncertainty they involve. On October 19, 2017, FERC took one more step towards streamlining and reducing uncertainty. The Commission finalized a Policy Statement on Establishing License Terms for Hydroelectric Projects (Policy Statement) in which the Commission adopted a 40-year default license term for original and new licenses for hydropower projects located at non-federal dams. The issuance of the Policy Statement followed a Commission Notice of Inquiry (NOI) that was issued on November 17, 2016 that sought comment on whether, and, if so, how the Commission should revise its policy for establishing the length of original and new licenses it issues for hydroelectric projects.

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## Contacts



Mary Anne  
Sullivan

Senior Counsel



John R.  
Lilyestrom

Senior Counsel



Zachary S.  
Launer

Counsel

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