

DEPARTMENT OF ENERGY
REDELEGATION ORDER NO. S3-DEL-SEPA1-2023
TO THE ADMINISTRATOR OF THE SOUTHEASTERN POWER ADMINISTRATION

1. REDELEGATION. Under the authority vested in me as Under Secretary (for Infrastructure) and pursuant to section 642 of the Department of Energy Organization Act (Public Law 95-91, 42 U.S.C. 7252), I delegate to the Administrator of the Southeastern Power Administration authority to take the following actions:
 - 1.1 Under section 643 of the Department of Energy Organization Act (42 U.S.C. 7253), establish, alter, consolidate, or discontinue such second tier or below organizational units or components within the Administrator of the Southeastern Power Administration's assigned programs and organizational elements as the Administrator of the Southeastern Power Administration may deem to be necessary or appropriate.
 - A. In exercising this authority, or as redelegated pursuant thereto, the Administrator of the Southeastern Power Administration will be limited by approved budgets, staffing level allocations, and Senior Executive Service and other executive resource position allocations. Organizational changes shall not be announced or implemented until appropriate union coordination and other pre-release clearances have been obtained.
 - B. This authority does not include approval of additions, deletions, or transfers of mission and functions of or between Departmental Headquarters or Field Elements, which authority is reserved to the Secretary.
 - C. The authority to establish, alter, consolidate, or discontinue second tier or below organizational elements may not be redelegated.
 - 1.2 Under section 646(a) of the DOE Organization Act (Public Law 95-91, 42 U.S.C. 7256(a)), enter and perform such contracts, leases, cooperative agreements, or other similar transactions with public agencies and private organizations and persons, and to make such payments as deemed necessary or appropriate to carry out functions delegated to the Administrator of the Southeastern Power Administration.
 - 1.3 Under sections 302(a), 641, 643, and 644 of the Department of Energy Organization Act (42 U.S.C. 7152, 7251, 7253, and 7254):
 - A. On a nonexclusive basis, confirm, approve, and place into effect on an interim basis power and transmission rates for the Southeastern Power Administration for such periods as the Administrator of the Southeastern

Power Administration may provide. In addition, under the authority vested in me as Under Secretary (for Infrastructure) and pursuant to sections 202 and 642 of the Department of Energy Organization Act (42 U.S.C. 7132 and 7252), I delegate to the Administrator of the Southeastern Power Administration the authority vested in me with respect to the Southeastern Power Administration.

- B. Develop and place into effect on a final basis rates for short-term sales of capacity, energy, or transmission service. Short-term sales are those sales that last no longer than one year.
- 1.4 With respect to purchase power and wheeling transactions for the Southeastern Power Administration, make the determination, on a case by case basis, that compliance with the three full business days advance notification requirements of section 311 of title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (P.L. 111-85) would pose a substantial risk to human life, health, or safety and make post-award notifications to the Committees on Appropriations of the Senate and House of Representatives not later than 5 full business days after such award is made or letter issued.
 - 1.5 Determine, on a nonexclusive basis, that an expenditure of funds appropriated to the Southeastern Power Administration for emergency purposes is required to ensure continuity of service. The Administrator of the Southeastern Power Administration shall immediately notify the Under Secretary (for Infrastructure) of the nature of the emergency promptly after making a determination. Within 30 days after the declaration of Emergency conditions, the Administrator shall report to the Under Secretary (for Infrastructure) the emergency expenses necessary to provide Southeastern Power Administration customers with continuity of service.
 - 1.6 In Reference to electric power regulations under the Federal Power Act (FPA), (16 U.S. C. 791a-825r), implement Paragraphs (d) and (e) of Section 215A of the FPA, specifically: designate, protect, and share critical electric infrastructure information pursuant to the Department of Energy's administrative procedures to implement the Department's critical electric infrastructure information designation authority under the FPA; and facilitate and expedite the acquisition of security clearances by key personnel subject to the requirements of section 215A.
- 2. RESCISSION. Redelelegation Order No. S3-DEL-SEPA1-2022 is hereby rescinded.

3. LIMITATION.

- 3.1 In exercising the authority delegated in this Order, a delegate shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary.
- 3.2 Nothing in this Order precludes the Secretary or the Under Secretary (for Infrastructure) from exercising any of the authority delegated by this Order.
- 3.3 Nothing in this Order shall be construed to supersede or otherwise interfere with the authorities delegated to the Administrator for Nuclear Security by law or by delegation. Furthermore, nothing herein constitutes authority to exercise authority, direction, or control of an employee of the National Nuclear Security Administration or its contractors.
- 3.4 Any amendment to this Order shall be made in consultation with the Department of Energy General Counsel.

4. AUTHORITY TO REDELEGATE.

- 4.1 Except as expressly prohibited by law, regulation, or this Order, the Administrator of the Southeastern Power Administration may delegate this authority further, in whole or in part, subject to the reporting requirements contained in Section 1.5 of this Order.
- 4.2 Copies of redelegations and any subsequent redelegations shall be provided to the Office of Management, which manages the Secretarial Delegations of Authority system.

5. DURATION AND EFFECTIVE DATE.

- 5.1 All actions pursuant to any authority delegated prior to this Order or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order are ratified and remain in force as if taken under this Order, unless or until rescinded, amended or superseded.
- 5.2 This Redelegation Order is effective April 10, 2023.



Kathleen Hogan
Acting Under Secretary
(for Infrastructure)