

The final amendments to existing 18 C.F.R. § 401.43 are as follows:

§ 401.43 Regulatory program fees.

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(b) * * *

(1) ~~Docket~~ *Application fee.* Except as set forth in paragraph (b)(1)(iii) of this section, the ~~docket~~ application fee shall apply to:

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(iii) *Exemptions.* The ~~docket~~ application fee shall not apply to:

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(2) *Annual monitoring and coordination fee.*

(i) Except as provided in paragraph (b)(2)(ii) of this section, an annual monitoring and coordination fee shall apply to each active water allocation or wastewater discharge approval issued pursuant to the *Compact* and implementing regulations, regardless of whether the approval was issued by the Commission in the form of a docket, permit or other instrument, or by a Signatory Party Agency under the One Permit Program rule (§ 401.42). ~~The fee shall be based on the amount of a project's approved monthly water allocation and/or approved daily discharge capacity.~~

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(4) * * *

(iii) *Modification of a DRBC approval.* Following Commission action on a project, each project revision or modification that the Executive Director deems substantial shall require an additional ~~docket~~ application fee calculated in accordance with paragraph (e) of this section and subject to an alternative review fee in accordance with paragraph (b)(3) of this section.

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(c) *Indexed adjustment.* On July 1 of every year, beginning July 1, 2017, all fees established by this section will increase commensurate with any increase in the annual April 12-month Consumer Price Index (CPI) for Philadelphia, published by the U.S. Bureau of Labor Statistics during that year.¹ In any year in which the April 12-month CPI for Philadelphia declines or shows no change, the ~~docket~~ application fee and annual monitoring and coordination fee will remain unchanged. Following any indexed adjustment made under this paragraph (c), a revised fee schedule will be published in the *Federal Register* by July 1 and posted on the Commission's website. Interested parties may also obtain the fee schedule by contacting the Commission directly during business hours.

¹ Consumer Price Index – U / Series ID: CWURA102SA0 / Not Seasonally Adjusted / Area: Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD / Item: All items / Base Period: 1982-84=100.

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(e) * * *

TABLE 1 TO § 401.43 – ~~DOCKET APPLICATION FILING FEES~~

Project Type	Docket Application Fee	Fee Maximum
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