

# 41.102 Applicability.

(a) Except as provided in paragraph (b) of this section, this part applies to the *acquisition* of utility services for the Government, including *connection charges* and *termination liabilities*.

(b) This part does not apply to-

(1) Utility services produced, distributed, or sold by another *Federal agency*. In those cases, agencies *shall* use interagency agreements (see [41.206](#));

(2) Utility services obtained by purchase, exchange, or otherwise by a Federal power or water marketing agency incident to that agency's marketing or distribution program;

(3) Cable television (CATV) and telecommunications services;

(4) *Acquisition* of natural or manufactured gas when purchased as a commodity;

(5) *Acquisition* of utilities services in foreign countries;

(6) *Acquisition* of rights in real property, *acquisition* of public utility facilities, and on-site equipment needed for the facility's own distribution system, or *construction/maintenance* of Government-owned equipment and real property; or

(7) Third party financed shared-savings projects authorized by [42 U.S.C. 8287](#). However, agencies may utilize [part 41](#) for any energy savings or purchased utility service directly resulting from implementation of a third party financed shared-savings project under [42 U.S.C.8287](#) for periods not to exceed 25 years.

**Parent topic:** [Subpart 41.1 - General](#)