

**§ 1786.103**

**§ 1786.103 Security.**

If, after prepayment of RUS Notes, the Government should continue to hold liens on the borrower's property, the Administrator of RUS will consider a request for the accommodation of such liens for the purpose of providing security for loans the proceeds of which were used to prepay RUS Notes. Such lien accommodations shall be limited in amount to the Discounted Present Value of the RUS Notes plus such costs, as the Administrator shall determine to be reasonable, incurred by the borrower in obtaining such loans.

**§ 1786.104 Loan fund audit.**

RUS shall have the right to audit within 6 months of closing, transactions involving the RUS construction fund established and maintained by the borrower pursuant to the terms of the RUS Loan Agreement and to inspect all books, records, accounts and other documents and papers of the borrower. Should RUS determine that the borrower has made disbursements of funds advanced pursuant to RUS Notes which do not comply with the requirements of the RUS Loan Agreement, the borrower shall be required to pay the Government an amount equal to the difference between the amount which the borrower prepaid on such RUS Notes evidencing RUS loans funds which were improperly disbursed and the amount which the borrower would otherwise have been required to return to the Government as a result of non-compliance if the borrower had not prepaid such RUS Notes. (See 7 CFR part 1721, Post-Loan Policies and Procedures for Insured Electric Loans.)

**§ 1786.105 Closing.**

(a) The borrower shall be responsible for obtaining all approvals necessary to consummate the transaction as required by the prepayment agreement, including such approvals as may be required by regulatory bodies and other lenders.

(b) The RUS Notes shall be prepaid at a closing to be held in accordance with the prepayment agreement. RUS shall designate the date of closing which in no event shall be later than one year after the effective date of the merger

or consolidation. At closing, in addition to paying all current interest due on the date of prepayment, a borrower shall prepay the RUS Notes by paying to the Government an amount equal to the lesser of the outstanding balance or the Discounted Present Value of the RUS Notes. The closing shall otherwise be conducted as prescribed in the prepayment agreement.

**§ 1786.106 Other prepayments.**

RUS loan documentation generally permits borrowers to prepay RUS Notes by paying the outstanding balance due thereon. Nothing in this subpart shall prohibit any borrower from prepaying its outstanding RUS Notes in accordance with the terms thereof. The provisions of this subpart shall not be applicable to such prepayment.

**APPENDIX A TO SUBPART E OF PART 1786—LISTING OF ELIGIBLE BORROWERS**

| State           | Borrower name and address                          |
|-----------------|--|
| Colorado .....  | Colorado-Ute Electric Assn., Inc., Montrose.       |
| Florida .....   | Lee County Electric Coop. Inc., North Fort Myers.  |
| Indiana .....   | Clark County Rural Elec. Memb. Corp., Sellersburg. |
| Louisiana ..... | Beauregard Electric Cooperative, Inc., Deridder.   |
| Missouri .....  | Culvre River Electric Cooperative, Inc., Troy.     |
| Nebraska .....  | Roosevelt Public Power District, Mitchell.         |
| Nebraska .....  | Howard Greely Rural Public Power Dist., St. Paul.  |
| Nebraska .....  | Cuming County Public Power District, West Point.   |
| Nebraska .....  | York County Rural Public Power District, York.     |
| Nebraska .....  | Elkhorn Rural Public Power District, Battle Creek. |
| Nebraska .....  | Southern Nebraska Rural P. P. D., Grand Island.    |
| Nebraska .....  | McCook Public Power District, McCook.              |
| Nebraska .....  | Niobrara Valley Electric Memb. Corp., O'Neill.     |
| Nebraska .....  | Cornhusker Public Power District, Columbus.        |
| Nebraska .....  | Custer Public Power District, Broken Bow.          |
| Nebraska .....  | Northwest Rural Public Power Dist., Hay Springs.   |
| Nebraska .....  | Southwest Public Power District, Palsade.          |
| Nebraska .....  | Loup Valleys Rural Public Power District, Ord.     |
| Nebraska .....  | South Central Public Power District, Nelson.       |
| Oklahoma .....  | Peoples' Electric Cooperative, Ada.                |
| Texas .....     | Deaf Smith County Electric Coop. Inc., Hereford.   |
| Texas .....     | Pedernales Electric Coop. Inc., Johnson City.      |
| Texas .....     | Bandera Electric Cooperative, Inc., Bandera.       |

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| State            | Borrower name and address                          |
|------------------|--|
| Texas .....      | Guadalupe Valley Electric Coop., Inc., Gonzales.   |
| Texas .....      | Bluebonnet Electric Cooperative, Inc., Giddings.   |
| Texas .....      | Cap Rock Electric Cooperative, Inc. Stanton.       |
| Texas .....      | San Bernard Electric Cooperative, Inc., Bellville. |
| Washington ..... | Inland Power & Light Company, Spokane.             |
| Washington ..... | Pub. Util. Dist. No. 1 Grays Harbor Co., Aberdeen. |

APPENDIX B TO SUBPART E OF PART 1786—FEDERAL RESERVE STATISTICAL RELEASE

FEDERAL RESERVE STATISTICAL RELEASE

These data are released each Monday. The availability of the release will be announced when the information is available, on (202) 452-3206.

H. 15 (519)

For immediate release February 4, 1991.

SELECTED INTEREST RATES

[Yields in percent per annum]

| Instruments                                      | 1991 Jan. 28 | 1991 Jan. 29 | 1991 Jan. 30 | 1991 Jan. 31 | 1991 Feb. 1 | This week | Last week | 1991 Jan. |
|--|--------------|--------------|--------------|--------------|-------------|-----------|-----------|-----------|
| Federal Funds (effective) <sup>1,2,3</sup> ..... | 7.61         | 7.16         | 6.96         | 8.18         | 6.30        | 7.46      | 6.88      | 6.91      |
| Commercial paper <sup>3,4,5</sup>                |              |              |              |              |             |           |           |           |
| 1-Month .....                                    | 6.88         | 6.96         | 6.95         | 6.99         | 6.73        | 6.90      | 6.83      | 7.12      |
| 3-Month .....                                    | 6.92         | 6.96         | 6.94         | 6.95         | 6.67        | 6.89      | 6.92      | 7.10      |
| 6-Month .....                                    | 6.87         | 6.91         | 6.88         | 6.88         | 6.58        | 6.82      | 6.86      | 7.02      |
| Finance paper placed directly <sup>3,4,6</sup>   |              |              |              |              |             |           |           |           |
| 1-Month .....                                    | 6.76         | 6.85         | 6.83         | 6.83         | 6.55        | 6.76      | 6.68      | 6.95      |
| 3-Month .....                                    | 6.75         | 6.83         | 6.83         | 6.76         | 6.46        | 6.73      | 6.77      | 6.92      |
| 6-Month .....                                    | 6.53         | 6.53         | 6.59         | 6.53         | 6.19        | 6.47      | 6.55      | 6.59      |
| Bankers acceptances (top rated) <sup>3,4,7</sup> |              |              |              |              |             |           |           |           |
| 3-Month .....                                    | 6.80         | 6.82         | 6.77         | 6.68         | 6.30        | 6.67      | 6.76      | 6.96      |
| 6-Month .....                                    | 6.67         | 6.70         | 6.65         | 6.55         | 6.15        | 6.54      | 6.63      | 6.84      |
| CDS (secondary market) <sup>3,8</sup>            |              |              |              |              |             |           |           |           |
| 1-Month .....                                    | 6.78         | 6.85         | 6.87         | 6.82         | 6.52        | 6.77      | 6.77      | 7.10      |
| 3-Month .....                                    | 6.94         | 6.95         | 6.93         | 6.88         | 6.51        | 6.84      | 6.94      | 7.17      |
| 6-Month .....                                    | 6.95         | 6.98         | 6.95         | 6.88         | 6.51        | 6.85      | 6.97      | 7.17      |
| Eurodollar deposits (London) <sup>3,9</sup>      |              |              |              |              |             |           |           |           |
| 1-Month .....                                    | 6.81         | 6.88         | 6.88         | 6.88         | 6.88        | 6.86      | 6.81      | 7.13      |
| 3-Month .....                                    | 6.94         | 7.06         | 7.00         | 6.94         | 6.94        | 6.98      | 7.01      | 7.23      |
| 6-Month .....                                    | 7.00         | 7.00         | 7.00         | 6.94         | 6.94        | 6.98      | 7.04      | 7.23      |
| Bank prime loan <sup>2,3,10</sup> .....          | 9.50         | 9.50         | 9.50         | 9.50         | 9.50        | 9.50      | 9.50      | 9.52      |
| Discount window borrowing <sup>2,11</sup> .....  | 6.50         | 6.50         | 6.50         | 6.50         | 6.00        | 6.50      | 6.50      | 6.50      |
| U.S. Government securities                       |              |              |              |              |             |           |           |           |
| Treasury bills                                   |              |              |              |              |             |           |           |           |
| Auction average <sup>3,4,12</sup>                |              |              |              |              |             |           |           |           |
| 3-Month .....                                    | 6.22         |              |              |              |             | 6.22      | 6.14      | 6.30      |
| 6-Month .....                                    | 6.28         |              |              |              |             | 6.28      | 6.21      | 6.34      |
| 1-Year .....                                     |              |              |              |              |             |           |           | 6.22      |
| Auction average (investment) <sup>12</sup>       |              |              |              |              |             |           |           |           |
| 3-Month .....                                    | 6.41         |              |              |              |             | 6.41      | 6.32      | 6.49      |
| 6-Month .....                                    | 6.58         |              |              |              |             | 6.58      | 6.50      | 6.64      |
| Secondary market <sup>3,4</sup>                  |              |              |              |              |             |           |           |           |
| 3-Month .....                                    | 6.25         | 6.22         | 6.20         | 6.19         | 6.00        | 6.17      | 6.12      | 6.22      |
| 6-Month .....                                    | 6.26         | 6.26         | 6.24         | 6.20         | 5.97        | 6.19      | 6.20      | 6.28      |
| 1-Year .....                                     | 6.24         | 6.20         | 6.17         | 6.13         | 5.91        | 6.13      | 6.19      | 6.25      |
| Treasury Constant maturities <sup>13</sup>       |              |              |              |              |             |           |           |           |
| 1-Year .....                                     | 6.64         | 6.59         | 6.56         | 6.51         | 6.27        | 6.51      | 6.58      | 6.64      |
| 2-Year .....                                     | 7.12         | 7.10         | 7.07         | 7.05         | 6.83        | 7.03      | 7.09      | 7.13      |

SELECTED INTEREST RATES—Continued  
[Yields in percent per annum]

| Instruments                                   | 1991 Jan. 28 | 1991 Jan. 29 | 1991 Jan. 30 | 1991 Jan. 31 | 1991 Feb. 1 | This week | Last week | 1991 Jan. |
|---|--------------|--------------|--------------|--------------|-------------|-----------|-----------|-----------|
| 3-Year .....                                  | 7.38         | 7.35         | 7.34         | 7.30         | 7.10        | 7.29      | 7.35      | 7.38      |
| 5-Year .....                                  | 7.67         | 7.64         | 7.64         | 7.62         | 7.45        | 7.60      | 7.66      | 7.70      |
| 7-Year .....                                  | 7.93         | 7.90         | 7.90         | 7.89         | 7.75        | 7.87      | 7.92      | 7.97      |
| 10-Year .....                                 | 8.06         | 8.05         | 8.05         | 8.03         | 7.91        | 8.02      | 8.04      | 8.09      |
| 30-Year .....                                 | 8.23         | 8.20         | 8.23         | 8.21         | 8.09        | 8.19      | 8.22      | 8.27      |
| Composite                                     |              |              |              |              |             |           |           |           |
| Over 10 years (long-term) <sup>14</sup> ..... | 8.29         | 8.26         | 8.29         | 8.27         | 8.15        | 8.25      | 8.28      | 8.33      |
| Corporate bonds                               |              |              |              |              |             |           |           |           |
| Moody's Seasoned                              |              |              |              |              |             |           |           |           |
| AAA .....                                     | 9.03         | 9.01         | 9.00         | 8.99         | 8.96        | 9.00      | 9.05      | 9.04      |
| BAA .....                                     | 10.43        | 10.37        | 10.35        | 10.33        | 10.24       | 10.34     | 10.44     | 10.45     |
| A-Utility <sup>15</sup> .....                 | .....        | .....        | .....        | .....        | 9.65        | 9.65      | 9.80      | 9.83      |
| State and local bonds <sup>16</sup> .....     | .....        | .....        | .....        | 7.00         | .....       | 7.00      | 7.06      | 7.08      |
| Conventional mortgages <sup>17</sup> .....    | .....        | .....        | .....        | .....        | 9.56        | 9.56      | 9.61      | 9.64      |

Footnotes:  
<sup>1</sup> The daily effective federal funds rate is a weighted average of rates on trades through N.Y. brokers.  
<sup>2</sup> Weekly figures are averages of 7 calendar days ending on Wednesday of the current week; monthly figures include each calendar day in the month.  
<sup>3</sup> Annualized using a 360-day year or bank interest.  
<sup>4</sup> Quoted on a discount basis.  
<sup>5</sup> An average of offering rates on commercial paper placed by several leading dealers for firms whose bond rating is AA or the equivalent.  
<sup>6</sup> An average of offering rates on paper directly placed by finance companies.  
<sup>7</sup> Representative closing yields for acceptances of the highest rated money center banks.  
<sup>8</sup> An average of dealer offering rates on nationally traded certificates of deposit.  
<sup>9</sup> Bid rates for Eurodollar deposits at 11 a.m. London time.  
<sup>10</sup> One of several base rates used by banks to price short-term business loans.  
<sup>11</sup> Rate for the Federal Reserve Bank of New York.  
<sup>12</sup> Auction date for daily data; weekly and monthly averages computed on an issue-date basis.  
<sup>13</sup> Yields on actively traded issues adjusted to constant maturities. Source: U.S. Treasury.  
<sup>14</sup> Unweighted average of rates on all outstanding bonds neither due nor callable in less than 10 years, including one very low yielding "flower" bond.  
<sup>15</sup> Estimate of the yield on a recently offered, A-rated utility bond with a maturity of 30 years and call protection of 5 years; Friday quotations.  
<sup>16</sup> Bond Buyer Index, general obligation, 20 years to maturity, mixed quality; Thursday quotations.  
<sup>17</sup> Contract interest rates on commitments for fixed-rate first mortgages. Source: FHLMC.  
 NOTE: Weekly and monthly figures are averages of business days unless otherwise noted.

Description of the Treasury Constant Maturity Series

Yields on Treasury securities at "constant maturity" are interpolated by the U.S. Treasury from the daily yield curve. This curve, which relates the yield on a security to its time to maturity, is based on the closing market bid yields on actively traded Treasury securities in the over-the-counter market. These market yields are calculated from composites of quotations reported by five leading U.S. Government securities dealers to the Federal Reserve Bank of New York. The constant maturity yield values are read from the yield curve at fixed maturities, currently 1, 2, 3, 5, 7, 10, and 30 years. This method provides a yield for a 10-year maturity, for example, even if no outstanding security has exactly 10 years remaining to maturity.

Subpart F—Discounted Prepayments on RUS Electric Loans

AUTHORITY: 7 U.S.C. 901 *et seq.*; Pub. L. 103-354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

SOURCE: 59 FR 13620, Mar. 22, 1994, unless otherwise noted.

§ 1786.150 Purpose.

This subpart sets forth the policies and procedures of RUS whereby borrowers may prepay, with private financing or internally generated funds, outstanding RUS Notes evidencing electric loans at the Discounted present value of the RUS Notes, pursuant to the provisions of section 306(B) of the RE Act as amended by Public Law 102-428, 106 Stat. 2183, adopted October 21, 1992.