



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

December 8, 2025

Class Deviation RFO-2025-41

MEMORANDUM TO: Acquisition Management Division and Buyers in the Regions

FROM: Nicole Stevenson, Acting Director
Acquisition Management Division
Office of Administration

A handwritten signature in blue ink, appearing to read "Nicole Stevenson", is placed over the "FROM:" line.

Signed by Stevenson, Nicole
on 12/08/25

SUBJECT: FAR Class Deviation for FAR Part 41 in Support of Executive Order
14275 on Restoring Common Sense to Federal Procurement

1. PURPOSE: This memorandum approves a class deviation to Federal Acquisition Regulation (FAR) Part 41 - "Acquisition of Utility Services" for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR Part 41 to prioritize plain language, resulting in more direct, active, and accessible text. FAR Part 41 - "Acquisition of Utility Services" has been retained with minor revisions to improve clarity. Notable changes include subsection 41.101 (Definitions) which has been updated to explicitly exclude from the definition of "utility service," services such as broadband internet, IT services, and telecommunications, non-broadcast television, real estate acquisitions, public utility facility acquisitions, on-site equipment for the utility's use, or construction and maintenance of Government-owned equipment and real property. These changes will help prevent misapplication of utility acquisition procedures, reducing the risk of improper sole-source justifications and supporting full and open competition in evolving service markets.

2. BACKGROUND: [Executive Order \(E.O.\) 14275 on Restoring Common Sense to Federal Procurement](#) signed April 15, 2025, mandates a comprehensive review and simplification of the Federal Acquisition Regulation (FAR).

The FAR is being updated to:

- Eliminate non-statutory language
- Remove redundant or obsolete language
- Enhance clarity through plain language
- Align with the new FAR framework
- Preserve essential governmentwide acquisition standards

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative. This initiative will make the FAR more concise, understandable, and focused on core procurement requirements.

3. SUMMARY OF CHANGES: FAR Part 41, Acquisition of Utility Services, has been retained, streamlined, and improved for clarity. All subparts have been retained. Plain language edits or

other updates have been made throughout the part to remove unnecessary information or otherwise clarify the content. All clauses and provisions are retained. Notably, the definition of “utility service” is updated. Services such as broadband internet and information technology services, which were nascent or nonexistent when the original regulation was drafted, are now explicitly carved out. This prevents agencies from incorrectly applying utility acquisition procedures. This change reduces the risk of improper sole-source justifications and promotes full and open competition in those dynamic markets.

Statutory requirements retained in the RFO FAR Part 41 model deviation include, but may not be limited to, the following:

- 40 U.S.C. § 501, Services for Executive Agencies
- 42 U.S.C. § 2204, Electric Utility Contracts
- 42 U.S.C. §§ 7251 et. seq., Department of Energy Organization Act
- 42 U.S.C. § 8287, Authority to Enter into Contracts

4. INSTRUCTIONS:

- The NRC acquisition workforce must follow the RFO Part 41 model deviation text instead of FAR Part 41 as codified at 48 CFR Chapter 1. The Council’s RFO Part 41 model deviation text is available at [Acquisition.gov/far-overhaul](https://www.acquisition.gov/far-overhaul) under the “[FAR Overhaul](#)” link and is incorporated into this class deviation.

5. APPLICABILITY: This class deviation applies to all NRC procurements.

6. AUTHORITY: This class deviation is issued under the authority of E.O. 14275, [OMB M- 25-26](#), and 48 CFR 1.4 and RFO FAR 1.304.

7. EFFECTIVE DATE: This class deviation is effective immediately, and remains in effect until rescinded or incorporated into the FAR.

FAR Class Deviation for FAR Part 41 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement DATE December 8, 2025

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