

HB 1449 -- ELECTRIC TRANSMISSION FACILITIES

SPONSOR: Lewis (6)

This bill specifies that when an electrical corporation seeks approval from the Public Service Commission for the construction of electric transmission facilities approved by a regional transmission operator, such electric transmission facilities shall be designed consistent with the electric industry standards, use a multi-circuit configuration, and be sited with or along or replace existing infrastructure, as specified in the bill. An electrical corporation must competitively bid the major construction components for each project and use competitive sourcing strategies for all related major materials.

Only electrical corporations that own in-service electric transmission facilities in this state under the functional control of a regional transmission operator and to which such electric transmission facilities will connect may file an application with the Commission for approval to construct electric transmission facilities. If an electrical corporation will not go forward with the construction after receiving an approval from the Commission, the electrical corporation must give notice to the Commission within 90 days following approval that it will not construct such electric transmission facilities. Upon receiving notice, the Commission may grant approval for such construction to another electrical corporation. If the notice indicates that an electrical corporation will assign all or a portion of the construction to another electrical corporation, the Commission may grant approval for construction to the assignee electrical corporation provided that its construction will be subject to the requirements set forth in the bill.

The bill does not limit the right of any electrical corporation to seek approval to construct, operate, and maintain electric transmission facilities that will not initially connect to electric transmission facilities in this state that are under the functional control of a regional transmission operator, nor does it limit the right of any rural electric cooperative, any municipal utility, or a joint electric utility commission to construct, own, and maintain electric transmission facilities that are not under the control of a regional transmission operator.

In considering applications, the Commission must take into account the need to support the state's economy, benefits to customers, and reliable electric service.

By March 31, 2025, the Commission must adopt rules creating standards for construction activities occurring on privately owned

agricultural land that are applicable to electrical corporations constructing certain transmission lines. The rules must address certain activities as specified in the bill.

The bill also prohibits the use of eminent domain by electrical corporations for the construction or erection of any plant, tower, panel, or facility that:

(1) Uses, captures, or converts wind or air currents to generate or manufacture electricity; or

(2) Uses, captures, or converts the light or heat generated by the sun to generate or manufacture electricity.

However, an electrical corporation may use eminent domain for the construction, operation, and maintenance of certain facilities needed to collect and deliver the energy generated from these facilities to the distribution and transmission grid.

This bill is the similar to portions of HB 992 and HB 1052(2023).