

63H-2-302 Approval of qualifying energy delivery project.

- (1) To approve a qualifying energy delivery project, the board shall determine that the project:
 - (a) contributes to the economy of the state and the one or more communities where the project is located;
 - (b) is strategically situated to maximize connections to an energy source project located in the state that is:
 - (i) existing;
 - (ii) under construction;
 - (iii) planned; or
 - (iv) foreseeable;
 - (c) is supported by a business case for providing the revenue necessary to:
 - (i) service an authority bond issued to finance the project; and
 - (ii) finance the construction and operation of a project;
 - (d) is supported by a project plan related to:
 - (i) engineering;
 - (ii) environmental issues;
 - (iii) energy production;
 - (iv) load or other capacity; and
 - (v) any other issue related to the building and operation of energy delivery infrastructure;
 - (e) complies with the regulations of the following regarding the building of energy delivery infrastructure:
 - (i) the Federal Energy Regulatory Commission;
 - (ii) the North American Electric Reliability Council; and
 - (iii) the Public Service Commission of Utah; and
 - (f) promotes responsible energy development.
- (2) This chapter may not be used to compel interconnection to or use of a transmission or interconnection line or facility that belongs to another person.

Amended by Chapter 37, 2012 General Session