

**ELECTRICAL TRANSMISSION FACILITY
SITING STUDY ACT
2014 GENERAL SESSION
STATE OF UTAH**

Chief Sponsor: Roger E. Barrus

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts the Electrical Transmission Facility Siting Study Act.

Highlighted Provisions:

This bill:

▶ enacts the Electrical Transmission Facility Siting Study Act, including:

- defining terms;
- requiring the Public Service Commission to conduct a study related to an electrical transmission facility;
- addressing the procedures and requirements for the study;
- requiring a person who intends to construct an electrical transmission facility within the state to provide certain notice to the Public Service Commission;
- addressing reporting requirements; and
- providing that the study is in addition to any other requirement provided by law.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

ENACTS:



- 28 [54-20-101](#), Utah Code Annotated 1953
- 29 [54-20-102](#), Utah Code Annotated 1953
- 30 [54-20-103](#), Utah Code Annotated 1953
- 31 [54-20-104](#), Utah Code Annotated 1953
- 32 [54-20-105](#), Utah Code Annotated 1953

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34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **54-20-101** is enacted to read:

36 **CHAPTER 20. ELECTRICAL TRANSMISSION FACILITY SITING STUDY ACT**

37 **54-20-101. Title.**

38 This chapter is known as the "Electrical Transmission Facility Siting Study Act."

39 Section 2. Section **54-20-102** is enacted to read:

40 **54-20-102. Definitions.**

41 As used in this section:

42 (1) (a) "Construction" means the excavation, construction, or installation of an
43 electrical transmission facility.

44 (b) "Construction" does not include:

45 (i) a study or report related to an electrical transmission facility; or

46 (ii) an action reasonably necessary to determine the location of an electrical
47 transmission facility corridor.

48 (2) (a) "Electrical transmission facility" means a system:

49 (i) for providing electrical power; and

50 (ii) that has a capacity of at least 1,000 megawatts.

51 (b) "Electrical transmission facility" includes equipment, a fixture, a plant, or a
52 structure associated with providing electrical power.

53 (3) "Electrical transmission facility corridor" means a transmission line route of an
54 electrical transmission facility.

55 Section 3. Section **54-20-103** is enacted to read:

56 **54-20-103. Study by commission -- Procedures and requirements.**

57 (1) A person may not commence the construction of an electrical transmission facility
58 within the state before the commission:

59 (a) completes the study required by this section; and

60 (b) makes the report required by Section 54-20-104.

61 (2) The commission shall begin the study required by this section no later than 30 days
62 after the earlier of:

63 (a) the date the commission receives a written request to conduct the study from the
64 chairs of the Executive Appropriations Committee; or

65 (b) the date the commission receives the notice described in Subsection (3).

66 (3) (a) Except as provided in Subsection (3)(b), on or before the date a person files the
67 first application for a right-of-way with respect to an electrical transmission facility the person
68 seeks to construct within the state, the person shall file a written notice with the commission
69 stating that the person has filed or will file an application for a right-of-way with respect to the
70 electrical transmission facility the person seeks to construct within the state.

71 (b) A person is exempt from Subsection (3)(a) if, on or before January 1, 2014, the
72 person has filed the first application for a right-of-way with respect to an electrical transmission
73 facility the person seeks to construct within the state.

74 (4) The commission shall complete the study required by this section no later than six
75 months after the date the commission begins the study.

76 (5) Subject to Subsection (7), the study required by this section shall analyze the
77 impacts and benefits of constructing the electrical transmission facility in the state, including:

78 (a) an analysis of the impacts and benefits of proposals on the placement of the
79 electrical transmission facility corridor;

80 (b) an analysis of economic impacts and benefits of constructing the electrical
81 transmission facility in the state;

82 (c) an analysis of how population growth may impact electrical transmission needs and
83 the extent to which the electrical transmission facility will address those needs;

84 (d) an analysis of the extent to which the electrical transmission facility will provide
85 electrical on-ramps or off-ramps within the state;

86 (e) the identification of areas where the interconnection of the electrical transmission
87 facility with one or more electrical systems in the state will provide the greatest benefit to the
88 state;

89 (f) the identification of areas in the state that will be most impacted by the electrical

90 transmission facility; and

91 (g) an evaluation of the level of capacity of the electrical transmission facility that will
92 provide the greatest benefit to the state.

93 (6) The study required by this section may include an evaluation of other issues as
94 determined by the commission.

95 (7) In conducting the study required by this section, the commission may consider
96 information provided in an environmental impact statement, but may not focus the study on the
97 environmental impacts of the electrical transmission facility.

98 (8) The commission shall conduct the study required by this section in consultation
99 with:

100 (a) the Governor's Office of Economic Development;

101 (b) the Office of Energy Development; and

102 (c) any other federal, state, local, or private entity as requested by the commission.

103 (9) The commission shall receive public testimony as part of the study required by this
104 section.

105 Section 4. Section **54-20-104** is enacted to read:

106 **54-20-104. Commission report to Executive Appropriations Committee --**

107 **Commission report to Public Utilities and Technology Interim Committee -- Findings and**
108 **recommendations.**

109 (1) The commission shall provide a written report of its findings and recommendations
110 on the study required by Section [54-20-103](#) to the Executive Appropriations Committee within
111 10 days after the date the commission completes the study.

112 (2) The commission shall make reports to the Public Utilities and Technology Interim
113 Committee as requested by the chairs.

114 (3) (a) As part of its findings and recommendations, the commission shall provide
115 options to the Executive Appropriations Committee to address the impacts and benefits of
116 constructing the electrical transmission facility in the state.

117 (b) The options described in Subsection (3)(a) shall include:

118 (i) an analysis of the extent to which impact fees would mitigate the impacts of
119 constructing the electrical transmission facility in the state; and

120 (ii) an analysis of whether statutory changes are necessary to address the impacts of

121 constructing the electrical transmission facility in the state.

122 Section 5. Section **54-20-105** is enacted to read:

123 **54-20-105. Requirements of chapter are in addition to other requirements of law.**

124 The requirements of this chapter are in addition to any other requirement provided by

125 law.

126 Section 6. **Effective date.**

127 If approved by two-thirds of all the members elected to each house, this bill takes effect

128 upon approval by the governor, or the day following the constitutional time limit of Utah

129 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,

130 the date of veto override.

Legislative Review Note
as of 2-11-14 9:33 AM

Office of Legislative Research and General Counsel