

Effective 5/10/2016

11-13-304 Certificate of public convenience and necessity required -- Exceptions.

- (1) Before proceeding with the construction of any electrical generating plant or transmission line, each interlocal entity and each out-of-state public agency shall first obtain from the public service commission a certificate, after hearing, that public convenience and necessity requires such construction and in addition that such construction will in no way impair the public convenience and necessity of electrical consumers of the state of Utah at the present time or in the future.
- (2) The requirement to obtain a certificate of public convenience and necessity applies to each project initiated after the section's effective date but does not apply to:
 - (a) a project for which a feasibility study was initiated prior to the effective date;
 - (b) any facilities providing additional project capacity;
 - (c) any facilities providing replacement project capacity; or
 - (d) transmission lines required for the delivery of electricity from a project described in Subsection (2)(a), or facilities providing additional project capacity, or facilities providing replacement project capacity within the corridor of a transmission line, with reasonable deviation, of a project producing as of April 21, 1987.

Amended by Chapter 382, 2016 General Session