

SITING OF HIGH VOLTAGE POWER LINE

ACT

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Peter C. Knudson

House Sponsor: Ben C. Ferry

LONG TITLE

General Description:

This bill authorizes the Public Service Commission to conduct hearings and designate the siting of certain high voltage power lines that traverse more than one local government entity.

Highlighted Provisions:

This bill:

- ▶ requires an electrical corporation to apply for a construction certificate before purchasing land for, constructing, or modifying a high voltage power line;
- ▶ requires an electrical corporation to file a notice of intent with the Public Service Commission 120 days before the electrical corporation applies for the construction certificate;
- ▶ requires an electrical corporation to provide information to the Public Service Commission and members of the public, including:
 - a description of the high voltage power line route;
 - notification to affected local governments and land owners;
- ▶ requires an electrical corporation to conduct public workshops and distribute information to the public on the proposed high voltage power line;
- ▶ requires that an electrical corporation file for local land-use permits after filing the notice of intent with the Public Service Commission and before applying for a



- 28 construction certificate;
- 29 ▶ authorizes the commission to create rules for and conduct a hearing before granting
- 30 a construction certificate;
- 31 ▶ authorizes the commission to preempt local land-use decisions if:
- 32 • a local government entity has denied or not issued a permit for the high voltage
- 33 power line; or
- 34 • the land-use condition imposed by a local government entity is unreasonable or
- 35 not economical;
- 36 ▶ prohibits the Utility Facilities Review Board from reviewing a construction
- 37 certificate granted by the commission; and
- 38 ▶ makes technical corrections.

39 **Monies Appropriated in this Bill:**

40 None

41 **Other Special Clauses:**

42 None

43 **Utah Code Sections Affected:**

44 **AMENDS:**

- 45 **54-14-201**, as enacted by Laws of Utah 1997, Chapter 197
- 46 **54-14-303**, as enacted by Laws of Utah 1997, Chapter 197
- 47 **78B-6-501**, as last amended by Laws of Utah 2008, Chapter 341 and renumbered and
- 48 amended by Laws of Utah 2008, Chapter 3

49 **ENACTS:**

- 50 **54-18-101**, Utah Code Annotated 1953
- 51 **54-18-102**, Utah Code Annotated 1953
- 52 **54-18-201**, Utah Code Annotated 1953
- 53 **54-18-301**, Utah Code Annotated 1953
- 54 **54-18-302**, Utah Code Annotated 1953
- 55 **54-18-303**, Utah Code Annotated 1953
- 56 **54-18-304**, Utah Code Annotated 1953
- 57 **54-18-401**, Utah Code Annotated 1953

58

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

60 Section 1. Section **54-14-201** is amended to read:

61 **54-14-201. Conditions on siting of facilities by local governments -- Payment of**
62 **actual excess costs.**

63 [~~If otherwise authorized by law~~] (1) Except as provided in Subsection (2), a local
64 government may require or condition the construction of a facility in any manner if:

65 [~~(1)~~] (a) the requirements or conditions do not impair the ability of the public utility to
66 provide safe, reliable, and adequate service to its customers; and

67 [~~(2)~~] (b) the local government pays for the actual excess cost resulting from the
68 requirements or conditions, except:

69 [~~(a)~~] (i) any actual excess costs that the public utility collects from its customers
70 pursuant to an order, rule, or regulation of the commission; or

71 [~~(b)~~] (ii) any portion of the actual excess costs that the board requires to be borne by
72 the public utility.

73 (2) This section does not apply to facilities subject to Chapter 18, Siting of High
74 Voltage Power Line Act.

75 Section 2. Section **54-14-303** is amended to read:

76 **54-14-303. Actions or disputes for which board review may be sought.**

77 (1) A local government or public utility may seek review by the board, if:

78 [~~(1)~~] (a) a local government has imposed requirements on the construction of a facility
79 that result in estimated excess costs without entering into an agreement with the public utility
80 to pay for the actual excess cost, except any actual excess costs specified in Subsection
81 54-14-201[~~(2)(a) or (2)(b)~~](1)(b), at least 30 days before the date construction of the facility
82 should commence in order to avoid significant risk of impairment of safe, reliable, and
83 adequate service to customers of the public utility;

84 [~~(2)~~] (b) there is a dispute regarding:

85 [~~(a)~~] (i) the estimated excess cost or standard cost of a facility;

86 [~~(b)~~] (ii) when construction of a facility should commence in order to avoid significant
87 risk of impairment of safe, reliable, and adequate service to customers of the public utility; or

88 [~~(c)~~] (iii) whether the public utility has sought a permit, authorization, approval,
89 exception, or waiver with respect to a facility sufficiently in advance of the date construction

90 should commence, based upon reasonably foreseeable conditions, to allow the local
91 government reasonable time to pay for any estimated excess cost;

92 ~~[(3)]~~ (c) a local government has required construction of a facility in a manner that will
93 not permit the utility to provide service to its customers in a safe, reliable, adequate, or efficient
94 manner;

95 ~~[(4)]~~ (d) a local government has prohibited construction of a facility which is needed to
96 provide safe, reliable, adequate, and efficient service to the customers of the public utility;

97 ~~[(5)]~~ (e) a local government has not made a final decision on the public utility's
98 application for a permit, authorization, approval, exception, or waiver with respect to a facility
99 within 120 days of the date the public utility applied to the local government for the permit,
100 authorization, approval, exception, or waiver;

101 ~~[(6)]~~ (f) a facility is located or proposed to be located in more than one local
102 government jurisdiction and the decisions of the local governments regarding the facility are
103 inconsistent; or

104 ~~[(7)]~~ (g) a facility is proposed to be located within a local government jurisdiction to
105 serve customers exclusively outside the jurisdiction of the local government and there is a
106 dispute regarding the apportionment of the actual excess cost of the facility between the local
107 government and the public utility.

108 (2) A local government or public utility may not seek review by the board for a high
109 voltage power line that is subject to a construction certificate application and review in
110 accordance with Chapter 18, Siting of High Voltage Power Line Act.

111 Section 3. Section **54-18-101** is enacted to read:

112 **CHAPTER 18. SITING OF HIGH VOLTAGE POWER LINE ACT**

113 **Part 1. General Provisions**

114 **54-18-101. Title.**

115 This chapter is known as the "Siting of High Voltage Power Line Act."

116 Section 4. Section **54-18-102** is enacted to read:

117 **54-18-102. Definitions.**

118 As used in this chapter:

119 (1) "Affected landowner" means an owner of a property interest, as reflected in the
120 most recent county or city tax records as receiving a property tax notice, whose property:

- 121 (a) is crossed or used by a high voltage power line, including all facility sites,
122 rights-of-way, access roads, and temporary work spaces; and
- 123 (b) either:
- 124 (i) abuts either side of an existing right-of-way or facility site owned in fee by any
125 electrical corporation;
- 126 (ii) abuts the edge of a proposed high voltage power line or abuts a proposed
127 right-of-way that runs along an affected landowner's property line; or
- 128 (iii) contains a residence within 50 feet of the high voltage power line.
- 129 (2) "Application" means a request by an electrical corporation for a construction
130 certificate for a high voltage power line.
- 131 (3) "Associated electrical high voltage power line" means:
- 132 (a) an appurtenant substation, as defined in Section 54-14-103, that must be
133 constructed or modified to accommodate a new electrical high voltage power line or a modified
134 electrical high voltage power line; and
- 135 (b) other facilities reasonably related to a new electrical high voltage power line or a
136 modified electrical high voltage power line that must be constructed or modified to
137 accommodate the new electrical high voltage power line or the modified electrical high voltage
138 power line.
- 139 (4) "Commission" means the Public Service Commission.
- 140 (5) "Construction Certificate" means the certificate issued by the Public Service
141 Commission that grants an electric corporation the right to construct or modify a high voltage
142 power line.
- 143 (6) "Electrical corporation" means an entity as defined in Section 54-2-1.
- 144 (7) "High voltage power line" means a new electrical high voltage power line, a
145 modified electrical high voltage power line, or an associated electrical high voltage power line.
- 146 (8) "High voltage power line route" means the geographic area traversed by a high
147 voltage power line.
- 148 (9) "Local government entity" means a county, municipality, or other political
149 subdivision.
- 150 (10) "Modified electrical high voltage power line" means a proposed modification to
151 an existing electrical transmission line with a nominal operating voltage of 138 kilovolts or

152 more that would result in an increase in capacity or throughput of a cumulative total of 50% of
153 the total existing capacity of the electrical transmission line.

154 (11) "New electrical high voltage power line" means an electrical transmission line
155 with a nominal operating voltage of 138 kilovolts or more that:

- 156 (a) traverses more than one local government entity; and
- 157 (b) an electrical corporation proposes to construct.

158 (12) "Tribal" means a tribe, band, nation, pueblo, or other organized group or
159 community of Native Americans that is legally recognized as eligible for and is consistent with
160 a special program, service, or entitlement provided by the United States to Native Americans
161 because of their status as Native Americans.

162 Section 5. Section **54-18-201** is enacted to read:

Part 2. Electrical Corporation Duties for High Voltage Power Lines

54-18-201. Electrical corporation to obtain approval for high voltage power lines.

164 An electrical corporation shall obtain a construction certificate from the commission
165 before:

- 166 (1) acquiring real property for a high voltage power line;
- 167 (2) beginning construction or operation of a high voltage power line; or
- 168 (3) beginning modifications to a high voltage power line.

169 Section 6. Section **54-18-301** is enacted to read:

Part 3. Process for Obtaining Construction Certificate -- File

54-18-301. Notice of intent to file -- Content -- Prefiling procedures.

172 (1) (a) An electrical corporation seeking a construction certificate shall submit a notice
173 of intent to file an application to the commission at least 120 days before the electrical
174 corporation intends to file an application.

175 (b) If the application described in the notice of intent is not filed within 180 days, the
176 commission shall consider the notice withdrawn.

177 (2) An electrical corporation shall file with federal, state, tribal, and local government
178 permittees for respective permits or authorizations after filing the notice of intent and at least
179 60 days before submitting a construction certificate application.

180 (3) The notice of intent shall include:

- 181 (a) the name and mailing address of the electrical corporation, including a contact

- 183 name, address, and telephone number of the contact person for the notice of intent;
- 184 (b) copies of the electrical corporation's articles of incorporation and proof of its
185 authorization or registration to conduct business in Utah;
- 186 (c) a detailed description of the proposed high voltage power line route, including
187 location maps and plot plans to scale showing all major components, including a description of
188 zoning and site availability for the high voltage power line;
- 189 (d) a description of the proposed right-of-way width for the high voltage power line,
190 including to what extent a new right-of-way will be required or an existing right-of-way will be
191 widened;
- 192 (e) a description of each proposed associated electrical high voltage power line and its
193 dimensions;
- 194 (f) a description of the proposed project schedule, including:
- 195 (i) the expected application filing date;
- 196 (ii) the desired date for commission approval;
- 197 (iii) the beginning date for construction; and
- 198 (iv) the proposed date that the high voltage power line will begin operating;
- 199 (g) a list of each federal, state, tribal, and local government entity from which the
200 electrical corporation must obtain a permit to proceed with the high voltage power line,
201 including mailing address, contact names, telephone numbers, and e-mail addresses; and
- 202 (h) (i) a statement that the electrical corporation has provided, or will, within three days
203 of filing the notice of intent with the commission, provide a written copy of the notice of intent
204 to each affected landowner, and to each federal, state, tribal, and local government entity from
205 which the electrical corporation must obtain a permit to proceed with the high voltage power
206 line;
- 207 (ii) (A) a list and description of the website described in Subsection (4)(c) and each
208 physical location where copies of the notice of intent are located in each local government
209 entity traversed by the high voltage power line; and
- 210 (B) an explanation of the construction certificate application process, how an affected
211 landowner may participate in commission proceedings, and what rights an affected land owner
212 has under Title 78B, Chapter 6, Part 5, Eminent Domain.
- 213 (4) Within three days of filing the notice of intent with the commission, the electrical

214 corporation shall:

215 (a) make copies of the notice of intent available in the locations listed in Subsection

216 (3)(h)(ii)(A);

217 (b) make copies of the notice of intent available to members of the public;

218 (c) create and maintain an up-to-date high voltage power line website devoted solely to
219 dispense information about the proposed high voltage power line;

220 (d) on the website, designate a single electrical corporation point of contact and explain
221 how the electrical corporation will respond to requests for information from the public and
222 public officials; and

223 (e) (i) publish a public notice in a daily or weekly newspaper of general circulation at
224 least once per week for two weeks in each county where the high voltage power line is located
225 disclosing that the electrical corporation has filed a notice of intent with the commission; and

226 (ii) describe in the public notice the proposed high voltage power line, including a map
227 of the high voltage power line route, and advise readers how to obtain more information from
228 the website or locations listed in Subsection (3)(h)(ii)(A).

229 (5) The commission shall, within 21 days from when the notice of intent in Subsection
230 (1) is filed, convene a preapplication conference with the electrical corporation, and each
231 federal, state, tribal, and local government entity to:

232 (a) review the notice of intent; and

233 (b) require the electrical corporation to make any revisions to the notice of intent that
234 are necessary to comply with this section.

235 Section 7. Section **54-18-302** is enacted to read:

236 **54-18-302. Public workshops.**

237 After an electrical corporation files the notice of intent in accordance with this part and
238 before it files the construction certificate application, the electrical corporation shall:

239 (1) conduct informal public workshops at locations along the high voltage power line
240 route to provide information about:

241 (a) the high voltage power line; and

242 (b) the process for obtaining a construction certificate; and

243 (2) provide notice of the public workshop at least 14 days before the public workshop
244 to:

- 245 (a) newspapers of general circulation in the affected area;
- 246 (b) radio stations in the affected area;
- 247 (c) television stations in the affected area; and
- 248 (d) the commission.

249 Section 8. Section **54-18-303** is enacted to read:

250 **54-18-303. Application for construction certificate.**

251 (1) The electrical corporation may file an application for a construction certificate after
252 filing a notice of intent.

253 (2) The commission shall make rules establishing the requirements for an application,
254 which shall include as a minimum:

- 255 (a) a description of the high voltage power line;
- 256 (b) a list of local government entities traversed by the high voltage power line;
- 257 (c) a list of affected land owners;
- 258 (d) a description of the high voltage power line's environmental impacts and any
259 necessary environmental permits that the electrical corporation must obtain;
- 260 (e) a detailed description of the cost of the high voltage power line;
- 261 (f) a statement as to whether the electrical corporation is requesting the preemption of a
262 local government entity's land use decisions when the local government entity has failed to
263 issue, denied, or conditioned land-use applications in an allegedly unreasonable or
264 uneconomical manner;
- 265 (g) if the electrical corporation is requesting preemption, a statement that includes:
 - 266 (i) a detailed description of the high voltage power line's cost if constructed or
267 modified with the local government entity's conditions; and
 - 268 (ii) what costs described in Subsection (2)(g)(i) that the electrical corporation would
269 recover from its customers; and
- 270 (h) a description of alternatives and the costs of each of those alternatives, including:
 - 271 (i) alternate high voltage power line routes; and
 - 272 (ii) conservation alternatives.
- 273 (3) The commission may make rules establishing:
 - 274 (a) the contents of the application;
 - 275 (b) the process for filing the application;

276 (c) procedures for reviewing the application and obtaining information necessary to
277 make a decision; and

278 (d) a definition for "high voltage power line cost."

279 Section 9. Section **54-18-304** is enacted to read:

280 **54-18-304. Review of construction certificate application.**

281 (1) (a) The commission shall:

282 (i) review the construction certificate application; and

283 (ii) approve, approve with conditions, or deny the application.

284 (b) If the commission approves the construction certificate with conditions, the
285 commission may require that the electrical corporation locate the high voltage power line on a
286 route other than the one proposed by the electrical corporation or a local government entity.

287 (2) The commission may, if necessary to assist it in making a decision, request written
288 reports or other information relevant to the application from other state agencies.

289 (3) In determining whether or not to grant a construction certificate, the commission
290 shall consider the following factors:

291 (a) whether or not the high voltage power line will provide regional and statewide
292 benefits;

293 (b) whether or not granting the construction certificate for the high voltage power line
294 is consistent with the public interest;

295 (c) whether or not the proposed high voltage power line route minimizes, to the extent
296 reasonable and economical, adverse impacts on the important environmental features of the
297 state and local government entities;

298 (d) whether or not the costs associated with the high voltage power line that would be
299 recovered by the electrical corporation in a rate case are just and reasonable; and

300 (e) whether or not the high voltage power line will maximize, to the extent reasonable
301 and economical and consistent with planning for reliable electricity, the transmission
302 capabilities of existing towers or structures.

303 (4) (a) In granting a construction certificate, the commission may preempt a local
304 government entity's land-use permitting decisions pertaining to a high voltage power line if:

305 (i) a land-use permit denied by the local government entity must be granted in order to
306 allow the electrical corporation to proceed under the construction certificate;

307 (ii) within 60 days after an application for a construction certificate has been filed with
308 the commission, the local government entity has failed to issue a decision on a land-use permit
309 filed by the electrical corporation in accordance with Subsection 54-18-301(3)(g); or

310 (iii) the electrical corporation alleges that a local land-use condition imposed by a local
311 government entity is unreasonable or not economical and the commission finds by a
312 preponderance of the evidence that the local land-use condition is unreasonable or not
313 economical.

314 (b) The commission may preempt a local government entity's land-use permitting
315 decision under Subsection (4)(a)(iii) only after the commission:

316 (i) gives notice to the electrical corporation and the local government entity; and

317 (ii) conducts a hearing.

318 Section 10. Section **54-18-401** is enacted to read:

319 **Part 4. Electrical Corporations Powers Under Construction Certificate**

320 **54-18-401. Effect of issuance of route certificate.**

321 (1) (a) Subject to any conditions attached to the construction certificate issued by the
322 commission, a final commission order granting a construction certificate shall bind the state,
323 each of its subunits, and each local government entity as to the construction, modification, and
324 operation of the authorized high voltage power line.

325 (b) A construction certificate issued by the commission does not preempt the
326 jurisdiction of the state, any of its subunits, or any local government entity over matters that are
327 not governed by the construction certificate, including:

328 (i) employee health and safety;

329 (ii) wage and hour or other labor regulations; or

330 (iii) other design and operational issues that do not relate to the siting of the high
331 voltage power line.

332 (c) A final commission order granting a construction certificate and the high voltage
333 power line and high voltage power line route permitted in the construction certificate are not
334 subject to Chapter 14, Utility Facility Review Board Act.

335 (2) An electrical corporation granted a construction certificate by the commission may
336 exercise the right of eminent domain in accordance with Title 78B, Chapter 6, Part 5, Eminent
337 Domain.

338 Section 11. Section **78B-6-501** is amended to read:

339 **78B-6-501. Eminent domain -- Uses for which right may be exercised.**

340 (1) Subject to the provisions of this part, the right of eminent domain may be exercised
341 on behalf of the following public uses:

342 [~~(+)~~] (a) all public uses authorized by the Government of the United States;

343 [~~(2)~~] (b) public buildings and grounds for the use of the state, and all other public uses
344 authorized by the Legislature;

345 [~~(3)~~]-(a) (c) (i) public buildings and grounds for the use of any county, city, town, or
346 board of education;

347 [~~(b)~~] (ii) reservoirs, canals, aqueducts, flumes, ditches, or pipes for conducting water
348 for the use of the inhabitants of any county, city, or town, or for the draining of any county,
349 city, or town;

350 [~~(c)~~] (iii) the raising of the banks of streams, removing obstructions from streams, and
351 widening, deepening, or straightening their channels;

352 [~~(d)~~] (iv) bicycle paths and sidewalks adjacent to paved roads;

353 [~~(e)~~] (v) roads, streets, and alleys for public vehicular use, excluding trails, paths, or
354 other ways for walking, hiking, bicycling, equestrian use, or other recreational uses, or whose
355 primary purpose is as a foot path, equestrian trail, bicycle path, or walkway; and

356 [~~(f)~~] (vi) all other public uses for the benefit of any county, city, or town, or its
357 inhabitants;

358 [~~(4)~~] (d) wharves, docks, piers, chutes, booms, ferries, bridges, toll roads, byroads,
359 plank and turnpike roads, roads for transportation by traction engines or road locomotives,
360 roads for logging or lumbering purposes, and railroads and street railways for public
361 transportation;

362 [~~(5)~~] (e) reservoirs, dams, watergates, canals, ditches, flumes, tunnels, aqueducts and
363 pipes for the supplying of persons, mines, mills, smelters or other works for the reduction of
364 ores, with water for domestic or other uses, or for irrigation purposes, or for the draining and
365 reclaiming of lands, or for the floating of logs and lumber on streams not navigable, or for solar
366 evaporation ponds and other facilities for the recovery of minerals in solution;

367 [~~(6)~~]-(a) (f) (i) roads, railroads, tramways, tunnels, ditches, flumes, pipes, and dumping
368 places to facilitate the milling, smelting, or other reduction of ores, or the working of mines,

369 quarries, coal mines, or mineral deposits including minerals in solution;
370 ~~[(b)]~~ (ii) outlets, natural or otherwise, for the deposit or conduct of tailings, refuse or
371 water from mills, smelters or other works for the reduction of ores, or from mines, quarries,
372 coal mines or mineral deposits including minerals in solution;
373 ~~[(c)]~~ (iii) mill dams;
374 ~~[(d)]~~ (iv) gas, oil or coal pipelines, tanks or reservoirs, including any subsurface
375 stratum or formation in any land for the underground storage of natural gas, and in connection
376 with that, any other interests in property which may be required to adequately examine,
377 prepare, maintain, and operate underground natural gas storage facilities;
378 ~~[(e)]~~ (v) solar evaporation ponds and other facilities for the recovery of minerals in
379 solution; and
380 ~~[(f)]~~ (vi) any occupancy in common by the owners or possessors of different mines,
381 quarries, coal mines, mineral deposits, mills, smelters, or other places for the reduction of ores,
382 or any place for the flow, deposit or conduct of tailings or refuse matter;
383 ~~[(7)]~~ (g) byroads leading from highways to residences and farms;
384 ~~[(8)]~~ (h) telegraph[;] and telephone[;];
385 (i) subject to Subsection (2), electric light and electric power lines, and sites for electric
386 light and power plants;
387 ~~[(9)]~~ (j) sewerage of any city or town, or of any settlement of not less than ten families,
388 or of any public building belonging to the state, or of any college or university;
389 ~~[(10)]~~ (k) canals, reservoirs, dams, ditches, flumes, aqueducts, and pipes for supplying
390 and storing water for the operation of machinery for the purpose of generating and transmitting
391 electricity for power, light or heat;
392 ~~[(11)]~~ (l) cemeteries and public parks, except for a park whose primary use is:
393 ~~[(a)]~~ (i) as a trail, path, or other way for walking, hiking, bicycling, or equestrian use;
394 or
395 ~~[(b)]~~ (ii) to connect other trails, paths, or other ways for walking, hiking, bicycling, or
396 equestrian use;
397 ~~[(12)]~~ (m) pipe lines for the purpose of conducting any and all liquids connected with
398 the manufacture of beet sugar; and
399 ~~[(13)]~~ (n) sites for mills, smelters or other works for the reduction of ores and

400 necessary to their successful operation, including the right to take lands for the discharge and
401 natural distribution of smoke, fumes, and dust, produced by the operation of works, provided
402 that the powers granted by ~~this~~ Subsection (1) may not be exercised in any county where the
403 population exceeds 20,000, or within one mile of the limits of any city or incorporated town
404 nor unless the proposed condemner has the right to operate by purchase, option to purchase or
405 easement, at least 75% in value of land acreage owned by persons or corporations situated
406 within a radius of four miles from the mill, smelter or other works for the reduction of ores; nor
407 beyond the limits of the four-mile radius; nor as to lands covered by contracts, easements, or
408 agreements existing between the condemner and the owner of land within the limit and
409 providing for the operation of such mill, smelter, or other works for the reduction of ores; nor
410 until an action shall have been commenced to restrain the operation of such mill, smelter, or
411 other works for the reduction of ores.

412 (2) An electrical corporation subject to Title 54, Chapter 18, Siting of High Voltage
413 Power Line Act:

414 (a) shall exercise the right of eminent domain in accordance with Section 54-18-401;
415 and

416 (b) may not exercise the right of eminent domain before being issued a construction
417 certificate in accordance with Section 54-18-401.

Legislative Review Note
as of 11-17-08 1:43 PM

Office of Legislative Research and General Counsel

S.B. 41 - Siting of High Voltage Power Line Act

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment will require an additional appropriation from of Commerce Service Fund-Public Utility Regulatory Fund in FY 2009 for \$87,000. It will also require an additional appropriation in FY 2010 of \$234,000 and \$226,000 in FY 2011 for increased staff for the Public Service Commission and Department Commerce, Division of Public Utilities.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
Restricted Funds	\$87,100	\$234,000	\$226,000	\$87,100	\$234,000	\$226,000
Total	\$87,100	\$234,000	\$226,000	\$87,100	\$234,000	\$226,000

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments. Individuals and businesses may be affected due to increased regulatory fees.
