

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013

As Engrossed: H3/14/13

HR 1031

4
5 By: Representative Hutchison

6
7 **HOUSE RESOLUTION**

8 ENCOURAGING THE UNITED STATES DEPARTMENT OF ENERGY TO
9 REJECT THE PROPOSED PLAINS & EASTERN CLEAN LINE
10 TRANSMISSION PROJECT; AND ENCOURAGING THE ARKANSAS
11 PUBLIC SERVICE COMMISSION TO REJECT CLEAN LINE'S
12 REQUEST FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
13 NECESSITY TO OPERATE A PUBLIC UTILITY IN THE STATE OF
14 ARKANSAS.

15
16
17 **Subtitle**

18 ENCOURAGING THE REJECTION OF THE PLAINS &
19 EASTERN CLEAN LINE TRANSMISSION PROJECT
20 AND CLEAN LINE'S REQUEST TO OPERATE AS A
21 PUBLIC UTILITY IN ARKANSAS.

22
23
24 WHEREAS, Clean Line Energy Partners, LLC, has submitted to the United
25 States Department of Energy an application for its Plains & Eastern Clean
26 Line transmission project to construct and operate a transmission line
27 throughout various states, including Arkansas; and

28
29 WHEREAS, the project will not provide energy to the citizens of this
30 state or benefit consumers of energy within this state; and

31
32 *WHEREAS, in addition to the federal regulatory approval it seeks, Clean*
33 *Line Energy Partners, LLC, requested a certificate of public convenience and*
34 *necessity from the Arkansas Public Service Commission to enable Clean Line*
35 *Energy Partners, LLC, to operate as a public utility in the State of*
36 *Arkansas, and the Arkansas Public Service Commission denied the request in*



1 *Order No. 9 of Docket No. 10-041-U, finding that Clean Line Energy Partners,*
2 *LLC, did not meet the statutory requirements to be a public utility in*
3 *Arkansas; and*
4

5 WHEREAS, the route of the proposed corridor for the transmission line
6 would travel through the bottleneck of the Mississippi Flyway within the
7 State of Arkansas, an important national staging area for water fowl
8 migration; and
9

10 WHEREAS, The Mississippi Flyway includes parts of fourteen (14) states
11 from Canada to the Gulf of Mexico, and the bottleneck area provides great
12 economic benefit to the region and the State of Arkansas due to the favorable
13 conditions it provides for water fowl and duck hunting; and
14

15 WHEREAS, the proposed transmission line would pass through numerous
16 Arkansas counties, including Crawford, Franklin, Johnson, Pope, Conway, Van
17 Buren, Faulkner, Cleburne, White, Jackson, Poinsett, and Mississippi, and
18 *will potentially have detrimental impacts on the property of landowners in*
19 *these areas; and*
20

21 WHEREAS, the United States Department of Energy should *not approve* the
22 application of Clean Line Energy Partners, LLC, for its Plains & Eastern
23 *Clean Line transmission project unless it identifies clear and substantial*
24 *benefits to the State of Arkansas that exceed any detrimental impacts caused*
25 *by the project,*
26

27 NOW THEREFORE,

28 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL
29 ASSEMBLY OF THE STATE OF ARKANSAS:
30

31 THAT the House of Representatives encourages the United States
32 Department of Energy to *carefully consider* the application of Clean Line
33 Energy Partners, LLC for its Plains & Eastern Clean Line transmission project
34 *and urges the United States Department of Energy to not approve the*
35 *application unless it identifies clear and substantial benefits to the State*
36 *of Arkansas that exceed any detrimental impacts caused by the project.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

BE IT FURTHER RESOLVED THAT upon adoption of this resolution, the Chief Clerk of the House of Representatives shall transmit a copy to the United States Department of Energy, the Arkansas Public Service Commission, the Arkansas Congressional delegation, the Governor, and the President of the United States.

/s/Hutchison