

HOUSE BILL No. 2109

By Committee on Energy, Utilities and Telecommunications

1-30

1 AN ACT concerning utilities; relating to electric transmission lines;
2 definition of transmission line; state corporation commission, permit
3 for siting of electric transmission lines; amending K.S.A. 66-1,177 and
4 66-1,178 and repealing the existing sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 66-1,177 is hereby amended to read as follows: 66-
8 1,177. As used in this act, the following terms shall have the meanings
9 ascribed to them herein:

10 (a) "Electric utility" means every public utility, as defined by K.S.A.
11 66-104, ~~which and amendments thereto, that~~ owns, controls, operates or
12 manages any equipment, plant or generating machinery for the production,
13 transmission, delivery or furnishing, of electricity or electric power;

14 (b) "Electric transmission ~~lines~~ line" means any line or extension of a
15 line ~~which that~~ is at least ~~five (5) miles~~ *one mile* in length and ~~which that~~
16 is used for the bulk transfer of ~~two hundred thirty (230)~~ *110* kilovolts or
17 more of electricity;

18 (c) "Commission" means the state corporation commission.

19 Sec. 2. K.S.A. 66-1,178 is hereby amended to read as follows: 66-
20 1,178. ~~(a) No (1) An electric utility may begin shall acquire a siting permit~~
21 *from the commission prior to beginning site preparation for or construction*
22 *of an electric transmission line, or exercise or exercising the right of*
23 *eminent domain to acquire any interest in land in connection with the site*
24 *preparation for a the construction of any such electric transmission line*
25 ~~without first acquiring a siting permit from the commission.~~

26 (2) *Prior to an electric utility upgrading an existing electric line to*
27 *an electric transmission line or siting an electric transmission line on land*
28 *acquired through eminent domain that was originally not intended for an*
29 *electric transmission line, such utility shall acquire a siting permit from*
30 *the commission prior to beginning the site preparation for such electric*
31 *transmission line.*

32 (3) Whenever any electric utility desires to obtain ~~such~~ a siting
33 permit, the utility shall file an application with the commission setting
34 forth therein that the utility proposes to construct an electric transmission
35 line and specifying:

36 ~~(+)(A)~~ The proposed location thereof;

1 ~~(2)~~(B) the names and addresses of the landowners of record whose
2 land or interest therein is proposed to be acquired in connection with the
3 construction of or is located within 660 feet of the center line of the
4 easement where the *electric transmission* line is proposed to be located;
5 and

6 ~~(3)~~(C) such other information as may be required by the commission.

7 (b) Upon the filing of an application pursuant to subsection (a), the
8 commission shall fix a time for a public hearing on such application,
9 which shall be not more than 90 days after the date the application was
10 filed, to determine the necessity for and the reasonableness of the location
11 of the proposed electric transmission line. The commission shall fix the
12 place for hearing, which shall be in one of the counties through which the
13 electric transmission line is proposed to traverse.

14 (c) The commission may conduct an evidentiary hearing on an
15 application filed pursuant to this section at such time and place as the
16 commission deems appropriate.

17 (d) The commission shall issue a final order on the application within
18 120 days after the date the application was filed.

19 Sec. 3. K.S.A. 66-1,177 and 66-1,178 are hereby repealed.

20 Sec. 4. This act shall take effect and be in force from and after its
21 publication in the statute book.