



Duplication of Existing CCN Notification Requirements; Costly, Onerous Addition

AECT Position: Oppose

HB 862 by Fallon

PUC notification requirements

- Existing PUC rules are well-established and require an electric utility to mail notice of its application for a certificate of convenience and necessity (CCN) to all landowners whose land:
 - would be subject to an easement or other property interest;
 - contains a habitable structure that would be within 300 feet of a transmission project of 230 kV or less;
 - contains a habitable structure that would be within 500 feet of a transmission project of more than 230 kV.
- Additional requirements include: (1) notice with maps published in newspapers; (2) notice to municipalities; and (3) notice to county governments.
- Modifications to these requirements should take place between landowners and utilities under the purview of the PUC, who has the authority and flexibility to establish appropriate rules.

HB 862 duplicates existing rules; adds to cost and scope of PUC proceedings

- HB 862 duplicates existing rules into statute, and adds a costly and onerous fourth provision:
 - is in a residential subdivision with any single lot that meets the parameters of notice described above.
- The fourth requirement above—notice to an entire subdivision—requires notice to potentially hundreds of other landowners that simply can see the line, and has the following impacts:
 - Increases costs of determining the extent of the subdivision and whether it has effective deed restrictions – costs that will be charged to all ratepayers.
 - Creates confusion as to what makes a subdivision resident different from any other resident that can simply see the transmission line.
 - Adds a new category of potentially hundreds of landowners with a justiciable interest to intervene in PUC proceedings.
 - Delays the development and construction of needed electrical infrastructure.

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