C5 5lr2237 CF SB 460

By: Delegates Jameson and Branch

Introduced and read first time: February 9, 2015

Assigned to: Economic Matters

## A BILL ENTITLED

1 AN ACT CONCERNING	L	AN	ACT	concerning
	1	$\Delta N$	$\Delta CT$	concerning

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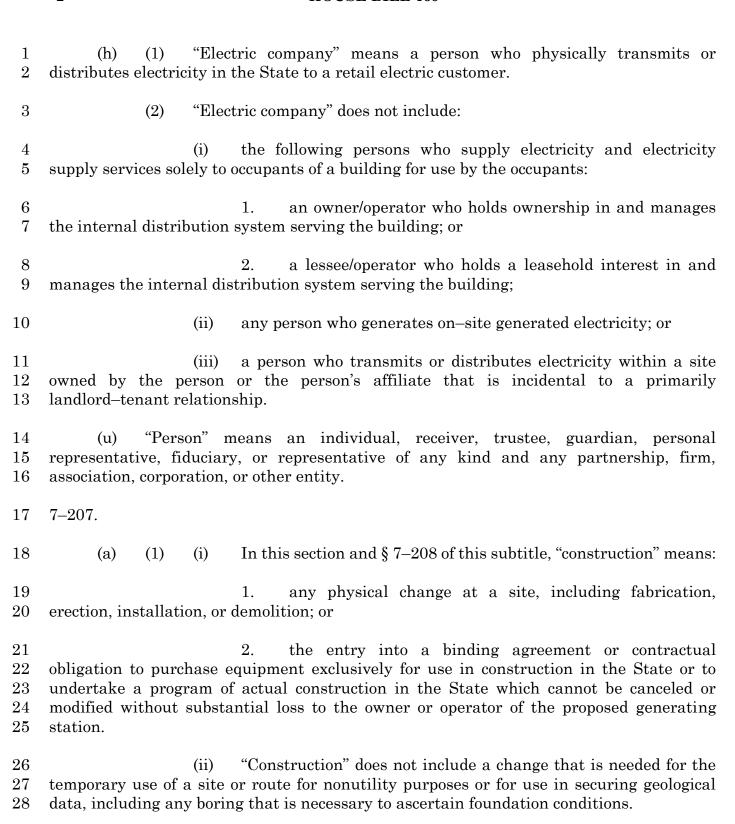
## Public Utilities - Electricity - Construction of Overhead Transmission Lines

- 3 FOR the purpose of altering the scope of persons who may apply for a certificate of public convenience and necessity to begin construction of a certain new overhead 4 5 transmission line for electricity under certain circumstances to include a person 6 rather than only an electric company; prohibiting the Public Service Commission 7 from authorizing, and prohibiting a certain person from undertaking, the 8 construction of a certain new overhead transmission line that is within a certain 9 distance of a public airport runway; and generally relating to the construction of overhead transmission lines. 10
- 11 BY repealing and reenacting, without amendments,
- 12 Article Public Utilities
- 13 Section 1–101(a), (h), and (u)
- 14 Annotated Code of Maryland
- 15 (2010 Replacement Volume and 2014 Supplement)
- 16 BY repealing and reenacting, with amendments,
- 17 Article Public Utilities
- 18 Section 7–207
- 19 Annotated Code of Maryland
- 20 (2010 Replacement Volume and 2014 Supplement)
- 21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 22 That the Laws of Maryland read as follows:
- 23 Article Public Utilities
- 24 1–101.
- 25 (a) In this division the following words have the meanings indicated.

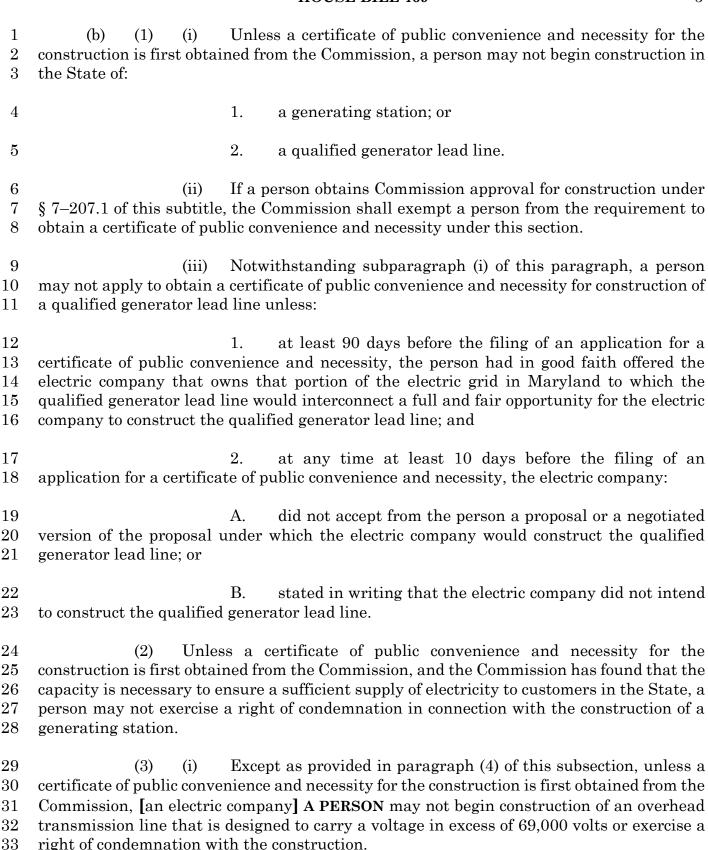
 ${\bf EXPLANATION: Capitals\ indicate\ matter\ added\ to\ existing\ law}.$ 

[Brackets] indicate matter deleted from existing law.





29 (2) In this section, "qualified generator lead line" means an overhead 30 transmission line that is designed to carry a voltage in excess of 69,000 volts and would 31 allow an out–of–state Tier 1 or Tier 2 renewable source to interconnect with a portion of 32 the electric system in Maryland that is owned by an electric company.



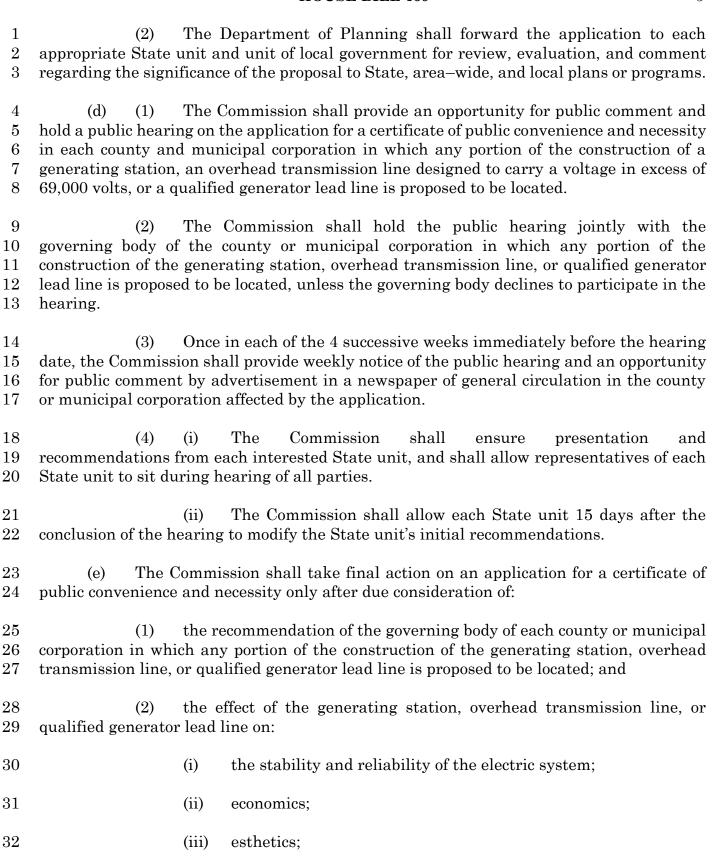
34 (ii) For construction related to an existing overhead transmission 35 line, the Commission may waive the requirement in subparagraph (i) of this paragraph for 36 good cause.

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(vi)

1 2 3 4	(4) (i) Except as provided in subparagraph (ii) of this paragraph, for construction related to an existing overhead transmission line designed to carry a voltage in excess of 69,000 volts, the Commission shall waive the requirement to obtain a certificate of public convenience and necessity if the Commission finds that the construction does not:			
5 6	1. require the electric company to obtain new real property or additional rights—of—way through eminent domain; or			
7	2. require larger or higher structures to accommodate:			
8	A. increased voltage; or			
9	B. larger conductors.			
10 11 12	(ii) 1. For construction related to an existing overhead transmission line, including repairs, that is necessary to avoid an imminent safety hazard or reliability risk, an electric company may undertake the necessary construction.			
13 14 15	2. Within 30 days after construction is completed under subsubparagraph 1 of this subparagraph, an electric company shall file a report with the Commission describing the work that was completed.			
16 17 18	(c) (1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice immediately or require the applicant to provide notice immediately of the application to:			
19	(i) the Department of Planning;			
20 21 22	(ii) the governing body of each county or municipal corporation is which any portion of the generating station, overhead transmission line, or qualified generator lead line is proposed to be constructed;			
23 24 25	(iii) the governing body of each county or municipal corporatio within 1 mile of the proposed location of the generating station, overhead transmission line or qualified generator lead line;			
26 27 28	(iv) each member of the General Assembly representing any part of a county in which any portion of the generating station, overhead transmission line, of qualified generator lead line is proposed to be constructed;			
29 30 31	(v) each member of the General Assembly representing any part of each county within 1 mile of the proposed location of the generating station, overhead transmission line, or qualified generator lead line; and			

all other interested persons.



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(iv)

historic sites:

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- 1 (v) aviation safety as determined by the Maryland Aviation 2 Administration and the administrator of the Federal Aviation Administration; 3 (vi) when applicable, air and water pollution; and
- 6 (f) For the construction of an overhead transmission line, in addition to the considerations listed in subsection (e) of this section, the Commission shall take final action on an application for a certificate of public convenience and necessity only after due

the availability of means for the required timely disposal of

consideration of the need to meet existing and future demand for electric service.

(vii)

wastes produced by any generating station.

- 10 (g) (1) The Commission may not authorize, and [an electric company] A
  11 PERSON may not undertake, the construction of an overhead transmission line that is
  12 aligned with and within 1 mile of either end of a public airport runway, unless:
- 13 (i) the Federal Aviation Administration determines that the 14 construction of an overhead transmission line will not constitute a hazard to air navigation; 15 and
- 16 (ii) the Maryland Aviation Administration concurs in that 17 determination.
- 18 (2) A privately owned airport runway shall qualify as a public airport 19 runway under this subsection only if the runway has been on file with the Federal Aviation 20 Administration for at least 2 years as being open to the public without restriction.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.