

HB 1811 -- INCUMBENT ELECTRIC TRANSMISSION OWNERS

SPONSOR: Hicks

This bill specifies that an incumbent electric transmission owner or its affiliate has the right to construct, own, and maintain an electric transmission line that has been approved for construction in a transmission plan and connects to its own facilities or that connects to its own facilities and facilities owned by a nonincumbent electric transmission owner. An incumbent electric transmission owner or its affiliate also has the right to construct, own, and maintain its share of an electric transmission line that has been approved for construction and connects to more than one facility owned by different incumbent electric transmission owners unless otherwise agreed upon in writing.

If an electric transmission line has been approved for construction in a transmission plan, the incumbent electric transmission owner must give notice to the commission in writing within 90 days of approval regarding its intent to construct, own, and maintain all, or its share, of the electric transmission line. If an incumbent electric transmission owner gives notice of its intent to build, the owner or its affiliate has 18 months after giving notice to file an application for a certificate of convenience or necessity seeking permission to begin construction. If the owner does not timely indicate that it intends to build all or fails to timely seek a certificate of convenience or necessity, another electric transmission owner may construct the electric transmission line.

This section does not limit the right of any incumbent electric transmission owner to construct, own, and maintain any electric transmission equipment or facilities within its service territory.