

HOUSE BILL No. 2148

By Representatives Waymaster and Moser

1-29

1 AN ACT concerning electric transmission lines; relating to the state
2 corporation commission; prohibiting the permitting of transmission
3 lines located within any territory designated by the United States
4 department of energy as a national interest electric transmission
5 corridor; prohibiting the exercise of eminent domain in any such
6 territory except under limited circumstances; amending K.S.A. 66-
7 1,178 and repealing the existing section.
8

9 *Be it enacted by the Legislature of the State of Kansas:*

10 New Section 1. (a) The state corporation commission shall not
11 authorize any electric public utility to apply for or obtain a transmission
12 line siting permit pursuant to K.S.A. 66-1,177 et seq., and amendments
13 thereto, if the proposed electric transmission lines would be located in a
14 national interest electric transmission corridor.

15 (b) Except as provided in subsection (c), no electric public utility
16 shall exercise the power of eminent domain pursuant to K.S.A. 17-618,
17 and amendments thereto, or section 216(e) of the federal power act, for the
18 purpose of constructing electric transmission lines in a national interest
19 electric transmission corridor.

20 (c) This section shall not prohibit an electric public utility from
21 exercising the power of eminent domain for the construction of electric
22 transmission lines in a national interest electric transmission corridor if
23 such electric transmission lines were authorized pursuant to a transmission
24 line siting permit that was approved by the state corporation commission
25 prior to designation of such national interest electric transmission corridor
26 by the United States department of energy pursuant to section 216(a)(2) of
27 the federal power act.

28 (d) As used in the section:

29 (1) "Electric transmission lines" means the same as defined in K.S.A.
30 66-1,177, and amendments thereto.

31 (2) "National interest electric transmission corridor" means any
32 territory designated as a national interest electric transmission corridor
33 pursuant to a national interest electric transmission corridor designation
34 report issued by the United States department of energy pursuant to section
35 216(a)(2) of the federal power act.

36 Sec. 2. K.S.A. 66-1,178 is hereby amended to read as follows: 66-

1 1,178. (a) No electric utility may begin site preparation for or construction
2 of an electric transmission line, or exercise the right of eminent domain to
3 acquire any interest in land in connection with the site preparation for a
4 construction of any such line without first acquiring a siting permit from
5 the commission. *Except as provided in section 1, and amendments thereto,*
6 whenever any electric utility desires to obtain such a permit, the utility
7 shall file an application with the commission setting forth therein that the
8 utility proposes to construct an electric transmission line and specifying:

9 (1) The proposed location thereof;

10 (2) the names and addresses of the landowners of record whose land
11 or interest therein is proposed to be acquired in connection with the
12 construction of or is located within 660 feet of the center line of the
13 easement where the line is proposed to be located; and

14 (3) such other information as may be required by the commission.

15 (b) Upon the filing of an application pursuant to subsection (a), the
16 commission shall fix a time for a public hearing on such application,
17 which shall be not more than 90 days after the date the application was
18 filed, to determine the necessity for and the reasonableness of the location
19 of the proposed electric transmission line. The commission shall fix the
20 place for hearing, which shall be in one of the counties through which the
21 electric transmission line is proposed to traverse.

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

25 (d) The commission shall issue a final order on the application within
26 120 days after the date the application was filed.

27 Sec. 3. K.S.A. 66-1,178 is hereby repealed.

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