

## Substitute for HOUSE BILL No. 2661

By Committee on Energy and Environment

3-14

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1 AN ACT concerning electric utilities; relating to electric transmission line  
2 siting; notice and hearings, time requirements; amending K.S.A. 66-  
3 1,178 and 66-1,179 and K.S.A. 2013 Supp. 66-1,180 and repealing the  
4 existing sections.  
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 66-1,178 is hereby amended to read as follows: 66-  
8 1,178. (a) No electric utility may begin site preparation for, or construction  
9 of, an electric transmission line; or exercise the right of eminent domain to  
10 acquire any interest in land in connection with the site preparation for *athe*  
11 construction of any such line without first acquiring a siting permit from  
12 the commission. Whenever any electric utility desires to obtain such a  
13 permit, the utility shall file an application with the commission setting  
14 forth therein that the utility proposes to construct an electric transmission  
15 line and specifying:

16 (1) The proposed location thereof;

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

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

22 (b) Upon the filing of an application pursuant to subsection (a), the  
23 commission shall fix a time for a public hearing on such application,  
24 which shall be not more than ~~90~~20 days after the date the application was  
25 filed, to determine the necessity for and the reasonableness of the location  
26 of the proposed electric transmission line. The commission shall fix the  
27 place for hearing, which shall be in one of the counties through which the  
28 electric transmission line is proposed to traverse.

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

32 (d) The commission shall issue a final order on the application within  
33 ~~20~~80 days after the date the application was filed.

34 Sec. 2. K.S.A. 66-1,179 is hereby amended to read as follows: 66-  
35 1,179. The commission shall publish notice of the time, place and subject  
36 matter of the public hearing provided for by K.S.A. 66-1,178, and

1 amendments thereto, in newspapers having general circulation in every  
2 county through which the electric transmission line is proposed to traverse  
3 once each week for ~~two~~<sup>four</sup> consecutive weeks, the last publication to be  
4 not less than five days before such hearing date. The commission may  
5 order the applicant to publish such notice and submit an affidavit of  
6 publication, evidencing the dates of publication and the newspapers in  
7 which the notice appeared, to the commission prior to the hearing. Written  
8 notice by certified mail of such hearing and a copy of the application shall  
9 be served not less than ~~20~~<sup>40</sup> days prior to the hearing date upon all  
10 landowners described in subsection (a)(2) of K.S.A. 66-1,178, and  
11 amendments thereto, as shown by the application.

12 Sec. 3. K.S.A. 2013 Supp. 66-1,180 is hereby amended to read as  
13 follows: 66-1,180. All hearings conducted pursuant to this act shall be in  
14 accordance with the provisions of the Kansas administrative procedure act.  
15 All such hearings shall be completed within ~~30~~<sup>60</sup> days after the  
16 commencement thereof, unless the electric utility requests a continuance  
17 of any such hearing. All costs of any hearing pursuant to this act shall be  
18 taxed against the electric utility. The commission shall make its decision  
19 with respect to the necessity for and the reasonableness of the location of  
20 the proposed electric transmission line, taking into consideration the  
21 benefit to both consumers in Kansas and consumers outside the state and  
22 economic development benefits in Kansas. The commission shall issue or  
23 withhold the permit applied for and may condition such permit as the  
24 commission may deem just and reasonable and as may, in its judgment,  
25 best protect the rights of all interested parties and those of the general  
26 public.

27 Sec. 4. K.S.A. 66-1,178 and 66-1,179 and K.S.A. 2013 Supp. 66-  
28 1,180 are hereby repealed.

29 Sec. 5. This act shall take effect and be in force from and after its  
30 publication in the statute book.