

SESSION OF 2014

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2661**

As Recommended by House Committee on
Energy and Environment

Brief*

Sub. for HB 2661 would extend the timeline for the transmission siting permit process and change the notice requirements. An electric utility is required to submit an application and receive a siting permit from the Kansas Corporation Commission (KCC) prior to constructing a transmission line or prior to exercising the right of eminent domain in connection with transmission construction. The KCC is required to hold a public hearing on siting permit applications. The bill would lengthen the time allowed for various aspects of the permit process but would not make any changes to the procedure.

The bill would lengthen the time for the KCC to issue a final order on applications from within 120 days after the date the application was filed to within 180 days after the date the application was filed. The bill also would change the following timelines and notice requirements for events that occur prior to the final order:

- The public hearing date on transmission siting applications would change from not more than 90 days after the application was filed to not more than 120 days after the application was filed;
- Publication notice of the public hearing would change from once a week for two consecutive weeks to once a week for four consecutive weeks;
- The notice requirement to the landowner by certified mail of the public hearing and a copy of

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the application would change from 20 days prior to the hearing date to 40 days prior to the hearing date; and

- All hearings conducted concerning transmission siting applications would change from being completed within 30 days after commencement of such hearing to 60 days after commencement of such hearing.

Background

The bill was introduced by the House Committee on Appropriations at the request of Representative Schwartz and referred to the House Committee on Energy and Environment. Representative Schwartz and a representative from Kansas Farm Bureau testified in favor of the original bill at the House Committee hearing. The proponents stated it was important for landowners and communities affected by transmission line construction to have sufficient notice to be able to provide comments and have their concerns addressed.

A representative from ITC Great Plains provided neutral testimony on the original bill. No opponent testimony was provided.

The original bill would have required electric utilities that planned to construct a new direct current transmission line in Kansas to submit the plan to the Kansas Electric Transmission Authority (KETA) for review prior to filing an application for a siting permit with the KCC. KETA would have been required to prepare a report of its findings within 120 days of submission of the utilities' plan.

The House Committee recommended passage of a substitute bill that would lengthen the timeline of the transmission siting process and change the notice requirements. The contents of the original bill were deleted.

A fiscal note was not available on the substitute bill at the time of House Committee action.