

House Study Bill 540 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON CARLSON)

A BILL FOR

1 An Act relating to the construction, ownership, and maintenance
2 of electric transmission lines.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 476.26A Right to construct, own,
2 and maintain electric transmission lines.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Electric transmission line*" means a high-voltage
6 electric transmission line with a capacity of one hundred
7 kilovolts or more and any associated electric transmission
8 facilities.

9 b. "*Electric transmission owner*" means an individual or
10 entity who, as of the effective date of this Act, owns and
11 maintains an electric transmission facility including electric
12 transmission lines, wires, or cables that are capable of
13 operating at an electric voltage of one hundred kilovolts or
14 more that are required for rate-regulated electric utilities,
15 municipal electric utilities, and rural electric cooperatives
16 in this state to provide electric service to the public for
17 compensation.

18 c. "*Incumbent electric transmission owner*" means any of the
19 following:

20 (1) A public utility or a municipally owned utility that
21 owns, operates, and maintains an electric transmission line in
22 this state.

23 (2) An electric cooperative corporation or association or
24 municipally owned utility that owns an electric transmission
25 facility in this state and has turned over the functional
26 control of such facility to a federally approved authority.

27 (3) An "*electric transmission owner*" as defined in paragraph
28 "b".

29 d. "*Municipally owned utility*" means a "*city utility*" as
30 defined in section 362.2, or an "*electric power agency*" as
31 defined in section 390.9 which is comprised solely of cities or
32 solely of cities and other political subdivisions.

33 2. An incumbent electric transmission owner may construct,
34 own, and maintain an electric transmission line that has
35 been approved for construction in a federally registered

1 planning authority transmission plan and which connects to an
2 electric transmission facility owned by the incumbent electric
3 transmission owner. Where an electric transmission line
4 connects to electric transmission facilities owned by two or
5 more incumbent electric transmission owners, each incumbent
6 electric transmission owner whose facilities connect to the
7 electric transmission line may construct, own, and maintain the
8 electric transmission line individually and equally. If an
9 incumbent electric transmission owner declines to construct,
10 own, and maintain its portion of an electric transmission line
11 that connects to electric transmission facilities owned by
12 two or more incumbent electric transmission owners, then the
13 other incumbent electric transmission owner or owners that own
14 the electric transmission facilities to which the electric
15 transmission line connects may construct, own, and maintain the
16 electric transmission line individually and equally.

17 3. This section shall not modify the authority of the board
18 under chapter 478 or the requirements, rights, and obligations
19 relating to the construction, maintenance, and operation of
20 electric transmission lines pursuant to chapter 478.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to the construction, ownership, and
25 maintenance of electric transmission lines.

26 The bill allows an incumbent electric transmission owner,
27 as defined in the bill, to construct, own, and maintain an
28 electric transmission line, as defined in the bill, that has
29 been approved for construction in a federally registered
30 planning authority transmission plan and which connects
31 to the owner's electric transmission facility. Where an
32 electric transmission line connects to electric transmission
33 facilities owned by two or more incumbent electric transmission
34 owners, each owner whose facilities connect to the electric
35 transmission line may construct, own, and maintain the electric

1 transmission line individually and equally. If an incumbent
2 electric transmission owner declines to construct, own, and
3 maintain its portion of an electric transmission line that
4 connects to electric transmission facilities owned by two
5 or more owners, then the other owners to which the electric
6 transmission line connects may construct, own, and maintain
7 the electric transmission line individually and equally. The
8 bill provides that the bill does not modify the authority of
9 the board or the requirements, rights, and obligations related
10 to the construction, maintenance, and operation of electric
11 transmission lines under Code chapter 478.