

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 7

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE

AN ACT

1 RELATING TO PROCESSING OF PERMITS, APPLICATIONS, SITING REPORTS AND
 2 STUDIES FOR ELECTRIC TRANSMISSION FACILITIES; AMENDING CHAPTER
 3 5, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-516,
 4 IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO
 5 PROVIDE THAT THE PUBLIC UTILITIES COMMISSION SHALL DETERMINE
 6 WHETHER AN APPLICATION TO CONSTRUCT ELECTRIC TRANSMISSION
 7 FACILITIES SHOULD BE DESIGNATED AS A PRIORITY PROJECT, TO REQUIRE
 8 STATE AGENCIES TO TIMELY COMPLETE THEIR REVIEW OF APPLICATIONS
 9 TO CONSTRUCT ELECTRIC TRANSMISSION FACILITIES, TO PROVIDE
 10 FACTORS FOR THE COMMISSION UPON WHICH TO BASE ITS FINDINGS AND
 11 TO PROVIDE FOR PROCEDURES AND RULES.
 12

13 Be It Enacted by the Legislature of the State of Idaho:

14 SECTION 1. That Chapter 5, Title 61, Idaho Code, be, and the same is hereby amended
 15 by the addition thereto of a NEW SECTION, to be known and designated as Section 61-516,
 16 Idaho Code, and to read as follows:

17 61-516. PRIORITY DESIGNATION FOR ELECTRIC TRANSMISSION
 18 PROJECTS. (1) The legislature finds that the timely review and permitting of electric
 19 transmission facilities is critical to the well-being of the citizens and the economy of this state
 20 and the region. The legislature further finds that enactment of this section is necessary to
 21 promote the public interest. The purpose of this section is for the public utilities commission
 22 to determine whether the construction of electric transmission facilities should be designated
 23 to receive priority processing by state agencies. This section is not intended to affect a state
 24 agency's decision-making authority to approve, deny or condition an application to construct
 25 electric transmission facilities.

26 (2) For purposes of this section the following definitions shall apply:

27 (a) "Electric transmission facilities" means the construction of high voltage transmission
 28 lines with an operating level capacity of two hundred thirty thousand (230,000) volts or
 29 more and associated substations and switchyards.

30 (b) "State agency" means every state department, division, commission or board.

31 (3) Any person intending to construct eligible electric transmission facilities in Idaho
 32 may file an application with the public utilities commission seeking priority designation.
 33 An order granting priority designation shall not constitute regulatory approval or bind any
 34 state agency. If the commission issues an order granting priority designation, state agencies
 35 subsequently involved in the permitting or siting processes for such electric transmission
 36 facilities shall be required to give the application priority or immediate attention as it relates to
 37 reviews, permits, reports, studies or comments.

1 (4) In reviewing an application for priority designation, the public utilities commission
2 shall base its findings on whether the proposed construction of electric transmission facilities
3 will:

- 4 (a) Benefit Idaho customers and the Idaho economy;
- 5 (b) Improve electric transmission capacity and reliability in Idaho and the region; and
- 6 (c) Promote the public interest.

7 (5) Applications for priority designation filed with the public utilities commission shall
8 be governed by the commission's rules of administrative procedure. The commission may
9 promulgate administrative rules in compliance with chapter 52, title 67, Idaho Code, or may
10 issue procedural orders necessary to implement this section.