

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 1932

By: Jackson

AS INTRODUCED

An Act relating to energy; defining terms; granting incumbent electric transmission owners the right to construct, own and maintain certain electric transmission lines; providing for the rights of two or more incumbent electric transmission owners to one line; requiring an incumbent electric transmission owner to give certain notice; stating results if notice is not provided; allowing the Southwest Power Pool to determine the right to build under certain circumstances; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 291 of Title 17, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Commission" means the Corporation Commission;

2. "Electric transmission line" means a high-voltage transmission line with a capacity of three hundred (300) kilovolts or less and associated transmission facilities;

1        3. "Incumbent electric transmission owner" means any Oklahoma  
2 electric public utility, as recognized by the Commission, or its  
3 affiliates, any electric cooperative, any municipal power agency, or  
4 any municipal utility that owns, operates and maintains an electric  
5 transmission line in this state; and

6        4. "Southwest Power Pool" means the Southwest Power Pool or any  
7 federally recognized successor entity.

8        SECTION 2.        NEW LAW        A new section of law to be codified  
9 in the Oklahoma Statutes as Section 292 of Title 17, unless there is  
10 created a duplication in numbering, reads as follows:

11        An incumbent electric transmission owner has the right to  
12 construct, own and maintain an electric transmission line that has  
13 been approved for construction in a Southwest Power Pool  
14 transmission plan and will interconnect to facilities owned by that  
15 incumbent electric transmission owner. The right to construct, own  
16 and maintain an electric transmission line that will interconnect to  
17 facilities owned by two or more incumbent electric transmission  
18 owners belongs individually and proportionally to each incumbent  
19 electric transmission owner, unless otherwise agreed upon in  
20 writing.

21        SECTION 3.        NEW LAW        A new section of law to be codified  
22 in the Oklahoma Statutes as Section 293 of Title 17, unless there is  
23 created a duplication in numbering, reads as follows:

1       A. If the Southwest Power Pool has approved an electric  
2 transmission line in a Southwest Power Pool transmission plan and  
3 has formally directed the incumbent electric transmission owner or  
4 owners, if there is more than one owner, to construct the electric  
5 transmission line, the incumbent electric transmission owner or  
6 owners shall give notice to the Southwest Power Pool, in writing,  
7 within ninety (90) days of receipt of the direction to construct by  
8 the Southwest Power Pool, regarding its intent to construct, own and  
9 maintain the electric transmission line. If notice is not provided,  
10 the incumbent electric transmission owner shall surrender its right  
11 to construct, own and maintain the electric transmission line.

12       B. If an incumbent electric transmission owner or owners gives  
13 notice of intent not to build the electric transmission line or  
14 fails to provide notice as required in subsection A of this section,  
15 then the Southwest Power Pool may determine whether the incumbent  
16 electric transmission owner or other entity will build the electric  
17 transmission line.

18       SECTION 4. This act shall become effective November 1, 2013.

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