

HOUSE RESEARCH

Bill Summary

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Subject: Electric transmission

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Overview

House File 1989 establishes a right of first refusal for Minnesota utilities and electric transmission owners regarding the construction and ownership of electric transmission lines connecting to their own facilities.

1 [216B.246] Right of incumbent electronic transmission owner to construct and own electric transmission line to electric facilities; notice; procedure.

Subd. 1. Definitions. Defines an "incumbent electric transmission owner" as a public or municipal utility, generation and transmission cooperative, municipal power agency, or a transmission company that owns, operates, controls or maintains an electric transmission line in Minnesota.

Subd. 2. Incumbent electric transmission owner rights. Provides to an incumbent electric transmission owner the right to own, construct, and maintain a transmission line connected to its facilities.

Subd. 3. Commission procedure. Requires an incumbent electric transmission owner, within 90 days of approval of construction of an electric transmission line that is connected to its facilities and is contained in a regional transmission organization's regional plan, to notify the commission of its intent to construct and own the transmission line.

If the incumbent electric transmission owner intends to construct the transmission line, it must, within 18 months of filing its notice to the commission, file an application for

a certificate of need (unless the line is exempt) or for certification of the line in its transmission progress report filed under section 216B.2425.

If the incumbent electric transmission owner does not intend to construct the transmission line, it must explain the basis of its decision to the commission, which may order the incumbent electric transmission owner or another entity to construct the line. (The commission has this authority under section 216B.79.) In determining which entity should build the transmission line, the commission must consider cost, efficiency, reliability, and other issues.

