

HOUSE BILL No. 2321

AN ACT concerning electric utilities; relating to the state corporation commission; construction of urban electric transmission lines in cities; requiring notice prior to construction.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) No electric utility shall begin site preparation for or construction of an urban electric transmission line or exercise the right of eminent domain to acquire any interest in land in connection with the site preparation or construction of any such line before such utility has:

(1) Provided notice of the preliminary construction plans to the city in which such urban electric transmission line is proposed to be constructed, and the notice shall:

(A) Be provided at least six months prior to any anticipated construction; and

(B) provide the preliminary construction plans and show the proposed location of all poles and shall provide the dimensions of all poles and supporting facilities relative to existing streets, sight triangles at intersections, easements and public rights-of-way and visual examples; and

(2) provided notice of the proposed construction and of the open house required pursuant to paragraph (4) to:

(A) All landowners and tenants of record whose land or interest therein is proposed to be acquired in connection with the construction of or is located within 660 feet of the center line of the easement where such line is proposed to be located;

(B) the governing body of the city through which such line is proposed to traverse; and

(C) the state corporation commission;

(3) at least one week prior to such open house, published notice of the time, place and subject matter of the open house in a newspaper having general circulation in the city through which such line is proposed to traverse;

(4) conducted an open house in the city through which such line is proposed to traverse that:

(A) Allows landowners who received notice of the open house to provide public comment regarding the proposed construction;

(B) has a commissioner and a staff person of the state corporation commission in attendance at such open house; and

(C) is held either on a weekend day or after 5:00 p.m. on a weekday; and

(5) obtained any necessary permits required by the city for construction or work conducted in the public right-of-way.

(b) The provisions of this section shall not apply to construction or repair of an urban electric transmission line that is necessary due to damage caused by any storm, natural disaster or any other source of physical damage to the line.

(c) All information required to be provided pursuant to this section shall be provided to the infrastructure planning authority of the city in which the urban electric transmission line is proposed to be constructed.

(d) For purposes of this section:

(1) "Electric utility" means any electric utility as defined in K.S.A. 66-101a, and amendments thereto. "Electric utility" does not mean any municipal utility, electric cooperative as defined in K.S.A. 66-104d, and amendments thereto, or any electric utility owned by one or more of such cooperatives.

(2) "Urban electric transmission line" means any line or extension of a line that:

(A) Is at least 2½ miles in length;

(B) traverses at least 2½ contiguous miles through the corporate limits of a city having a population of 300,000 or more; and

(C) is designed for the transfer of at least 69 kilovolts but less than 230 kilovolts of electricity.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.