

By: Zaffirini

S.B. No. 365

A BILL TO BE ENTITLED

AN ACT

relating to the construction of an electrical transmission line and associated substations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 37.052(c), Utilities Code, is amended to read as follows:

(c) An electric utility is not required to amend the utility's certificate of public convenience and necessity to construct a transmission line that connects the utility's existing transmission facilities to a substation or metering point if:

(1) the transmission line does not exceed:

(A) three miles in length, if the line connects to a load-serving substation or metering point; or

(B) two miles in length, if the line connects to a generation substation or metering point;

(2) each landowner whose property would be directly affected by the transmission line, as provided by commission rules, provides written consent for the transmission line;

(3) if applicable, the electric utility must provide written notice to each landowner whose property is located within 300 feet of the substation for the transmission line; and

(4) [~~3~~] all rights-of-way necessary for construction of the transmission line have been purchased.

SECTION 2. Section 37.054, Utilities Code, is amended by

1 adding Subsection (c) to read as follows:

2 (c) In addition to any notice provided under Subsection (a),
3 the commission shall require the applicant to provide written
4 notice of each associated substation to each owner of land located
5 within 300 feet of the proposed substation.

6 SECTION 3. The changes in law made by this Act apply only to
7 a proceeding affecting a certificate of public convenience and
8 necessity that commences on or after the effective date of this Act.
9 A proceeding affecting a certificate of public convenience and
10 necessity that commenced before the effective date of this Act is
11 governed by the law in effect on the date the proceeding is
12 commenced, and that law is continued in effect for that purpose.

13 SECTION 4. This Act takes effect September 1, 2023.