

By: Maldonado

H.B. No. 4235

A BILL TO BE ENTITLED

AN ACT

relating to the approval of an application for a certificate of convenience and necessity by the Texas Public Utility Commission.

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

SECTION 1. Section 37.056, Texas Utilities Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) The commission shall not grant a certificate for a transmission line if:

(1) The transmission line will have a voltage greater than 100,000 Volts AC phase to ground and would be located within 1/4 mile of a public primary school or secondary school building;

(2) The transmission line will have a voltage less than 100,000 Volts AC phase to ground and would be located within 1/8 mile of a public primary school or secondary school building;

(3) The transmission line will be used to supply a new electrical substation or switching station with voltage greater than 100,000 Volts AC phase to ground that would be located within 2 miles of the center of a city of population less than 50,000; or

(4) The transmission line will have a voltage greater than 100,000 Volts AC phase to ground and would be located within the corporate boundaries of a municipality.

(e) For purposes of calculating transmission line route impact, the commission shall consider residential lots that do not have constructed residential units as if the lot had a residential

1 unit and was occupied by residents if:

2 (1) The residential lots are in a platted subdivision;

3 (2) The residential lots have completed roads for
4 access;

5 (3) The subdivision has at least 50% of its platted
6 lots with constructed residential units or has at least 20% of the
7 lots developed in the last 18 months prior to start of hearings.

8 (f) In selecting route alternatives for transmission line
9 certificates, the commission shall give preference to route designs
10 that place transmission structures adjacent to or within major
11 highway corridor right of ways.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2009.