Fiftieth Legislature
First Regular Session

COMMITTEE ON ENERGY AND NATURAL RESOURCES
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1517
(Reference to Senate engrossed bill)

Strike everything after the enacting clause and insert:

"Section 1. Section 40-360.09, Arizona Revised Statutes, is amended to
read:

40-360.09. Filing fees; utility siting fund
The fee to be paid for each application is as follows and shall be paid
to the committee COMMISSION for deposit, pursuant to sections 35-146 and
35-147, in a special fund to be known as the utility siting fund:
1. For a new proposed plant site and associated transmission line
site, ten thousand dollars.
2. For expansion of an existing plant site and a new proposed
transmission line site, seven thousand five hundred dollars.
3. For expansion of an existing plant site only, five thousand
dollars.
4. For a new proposed transmission line site one hundred miles or more
in length, five thousand dollars.
5. For a new proposed transmission line site over fifty but less than
one hundred miles in length, two thousand five hundred dollars.
6. For a new proposed transmission line site fifty miles or less in
length, one thousand dollars.
7. For a new proposed transmission line site paralleling an existing
transmission line site, regardless of length, one thousand dollars.

Sec. 2. Section 40-360.10, Arizona Revised Statutes, is amended to
read:

40-360.10. Expenditure of funds
The commission, upon ON receipt of a detailed accounting of the
committee’s expenses, shall approve and pay the following:
1. The cost of reporting and transcribing any application hearing, the
compensation of the hearing officer WHO IS RETAINED TO CONDUCT PROCEEDINGS
RELATED TO THE APPLICATION at the rate of two hundred dollars for each day
and his THE HEARING OFFICER’S reimbursable expenses.
2. Actual and necessary expenses incurred by the committee members in
connection with their participation in committee meetings.
3. The cost of studies and the fees of consultants utilized by THE
COMMISSION OR the committee. Costs and fees exceeding the amount of the
applicant's fee may with the applicant's consent be incurred by THE
COMMISSION OR the committee and charged to the applicant.

4. A refund to the person who paid the filing fee of any unused portion thereof.

Sec. 3. Title 40, chapter 2, article 6.2, Arizona Revised Statutes, is amended by adding section 40-360.14, to read:

40-360.14. Application for certificate of environmental compatibility; final environmental impact statement

A. A PERSON WHO IS PLANNING TO CONSTRUCT A TRANSMISSION LINE IN THIS STATE THAT HAS BEEN THE SUBJECT OF A NATIONAL ENVIRONMENTAL POLICY ACT PROCESS THAT RESULTS IN A FINAL ENVIRONMENTAL IMPACT STATEMENT BEING ISSUED MAY FILE AN APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY PURSUANT TO SECTION 40-360.03 WITH EVIDENCE OF THE ISSUANCE OF THE FINAL ENVIRONMENTAL IMPACT STATEMENT.

B. IF AN APPLICATION IS FILED PURSUANT TO THIS SECTION, THE COMMISSION SHALL DETERMINE WHETHER TO REFER THE APPLICATION TO THE CHAIRMAN OF THE COMMITTEE WITHIN NINETY DAYS AFTER THE APPLICATION IS DOCKETED. DURING THE NINETY DAY PERIOD, THE COMMISSION MAY HOLD PUBLIC HEARINGS AND REQUIRE THE APPLICANT TO PROVIDE PUBLIC NOTICE OF THE TIME AND PLACE OF THE PUBLIC HEARINGS.


D. IF THE COMMISSION RETAINS THE APPLICATION FOR DECISION, THE COMMISSION SHALL APPROVE THE APPLICATION, APPROVE THE APPLICATION SUBJECT TO CONDITIONS OR DENY THE APPLICATION WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE APPLICATION IS DOCKETED.

E. IN ARRIVING AT A DECISION PURSUANT TO THIS SECTION TO GRANT OR DENY A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY OR TO GRANT A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY SUBJECT TO CONDITIONS, THE COMMISSION SHALL COMPLY WITH SECTION 40-360.06 AND SHALL BALANCE IN THE BROAD PUBLIC INTEREST THE NEED FOR AN ADEQUATE, ECONOMICAL AND RELIABLE SUPPLY OF ELECTRIC POWER WITH THE DESIRE TO MINIMIZE THE EFFECT ON THE ENVIRONMENT AND ECOLOGY OF THIS STATE. IN ITS CONSIDERATION OF THE APPLICATION, THE COMMISSION MAY HOLD HEARINGS, TAKE EVIDENCE, REFER ANY PART OF THE APPLICATION TO THE COMMITTEE
FOR STUDY AND RECOMMENDATIONS TO THE COMMISSION, HEAR PUBLIC COMMENT AND 
REQUIRE THE APPLICANT TO PROVIDE NOTICE AS PRESCRIBED IN SECTION 40-360.04.

F. IF THE COMMISSION IS DETERMINING A ROUTE FOR A PROPOSED 
TRANSMISSION LINE PURSUANT TO THIS SECTION, THE COMMISSION SHALL APPROVE A 
ROUTE THAT IS CONSISTENT WITH THE PREFERRED ALTERNATIVE IDENTIFIED IN THE 
FINAL ENVIRONMENTAL IMPACT STATEMENT, EXCEPT THAT THE COMMISSION MAY IMPOSE 
REASONABLE CONDITIONS TO MAINTAIN ACCESS TO RECREATIONAL OPPORTUNITIES AND TO 
MINIMIZE OR OFFSET ADVERSE IMPACTS ON WILDLIFE HABITAT AND THE ENVIRONMENT.

G. IF THE COMMISSION FAILS TO APPROVE OR DENY THE APPLICATION OR FAILS 
TO APPROVE THE APPLICATION SUBJECT TO CONDITIONS WITHIN THE TIME FRAMES 
PRESCRIBED BY THIS SECTION, THE APPLICANT MAY PROCEED PURSUANT TO SECTION 
40-360.08, SUBSECTION B.

H. A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY GRANTED UNDER THIS 
SECTION SHALL BE GRANTED FOR AT LEAST FIFTEEN YEARS, SHALL BE ELIGIBLE FOR 
RENEWAL AND SHALL BE TRANSFERABLE PURSUANT TO SECTION 40-360.08, 
SUBSECTION A."

Amend title to conform

and, as so amended, it do pass

FRANKLIN M. PRATT
Chairman