

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

1 Strike everything after the enacting clause and insert:

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

4 40-360.09. Filing fees; utility siting fund

5 The fee to be paid for each application is as follows and shall be paid  
6 to the ~~committee~~ COMMISSION for deposit, pursuant to sections 35-146 and  
7 35-147, in a special fund to be known as the utility siting fund:

8 1. For a new proposed plant site and associated transmission line  
9 site, ten thousand dollars.

10 2. For expansion of an existing plant site and a new proposed  
11 transmission line site, seven thousand five hundred dollars.

12 3. For expansion of an existing plant site only, five thousand  
13 dollars.

14 4. For a new proposed transmission line site one hundred miles or more  
15 in length, five thousand dollars.

16 5. For a new proposed transmission line site over fifty but less than  
17 one hundred miles in length, two thousand five hundred dollars.

18 6. For a new proposed transmission line site fifty miles or less in  
19 length, one thousand dollars.

20 7. For a new proposed transmission line site paralleling an existing  
21 transmission line site, regardless of length, one thousand dollars.

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

24 40-360.10. Expenditure of funds

25 The commission, ~~upon~~ ON receipt of a detailed accounting of ~~the~~  
26 ~~committee's~~ expenses, shall approve and pay the following:

27 1. The cost of reporting and transcribing any application hearing, the  
28 compensation of the hearing officer WHO IS RETAINED TO CONDUCT PROCEEDINGS  
29 RELATED TO THE APPLICATION at the rate of two hundred dollars for each day  
30 and ~~his~~ THE HEARING OFFICER'S reimbursable expenses.

31 2. Actual and necessary expenses incurred by the committee members in  
32 connection with their participation in committee meetings.

33 3. The cost of studies and the fees of consultants utilized by THE  
34 COMMISSION OR the committee. Costs and fees exceeding the amount of the

1 applicant's fee may with the applicant's consent be incurred by THE  
2 COMMISSION OR the committee and charged to the applicant.

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

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

7 40-360.14. Application for certificate of environmental  
8 compatibility; final environmental impact  
9 statement

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

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

22 C. IF THE APPLICATION IS REFERRED TO THE CHAIRMAN OF THE COMMITTEE TO  
23 PROCESS THE APPLICATION, THE COMMITTEE SHALL PROCESS THE APPLICATION PURSUANT  
24 TO SECTION 40-360.04.

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

29 E. IN ARRIVING AT A DECISION PURSUANT TO THIS SECTION TO GRANT OR DENY  
30 A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY OR TO GRANT A CERTIFICATE OF  
31 ENVIRONMENTAL COMPATIBILITY SUBJECT TO CONDITIONS, THE COMMISSION SHALL  
32 COMPLY WITH SECTION 40-360.06 AND SHALL BALANCE IN THE BROAD PUBLIC INTEREST  
33 THE NEED FOR AN ADEQUATE, ECONOMICAL AND RELIABLE SUPPLY OF ELECTRIC POWER  
34 WITH THE DESIRE TO MINIMIZE THE EFFECT ON THE ENVIRONMENT AND ECOLOGY OF THIS  
35 STATE. IN ITS CONSIDERATION OF THE APPLICATION, THE COMMISSION MAY HOLD  
36 HEARINGS, TAKE EVIDENCE, REFER ANY PART OF THE APPLICATION TO THE COMMITTEE

1 FOR STUDY AND RECOMMENDATIONS TO THE COMMISSION, HEAR PUBLIC COMMENT AND  
2 REQUIRE THE APPLICANT TO PROVIDE NOTICE AS PRESCRIBED IN SECTION 40-360.04.

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

9 G. IF THE COMMISSION FAILS TO APPROVE OR DENY THE APPLICATION OR FAILS  
10 TO APPROVE THE APPLICATION SUBJECT TO CONDITIONS WITHIN THE TIME FRAMES  
11 PRESCRIBED BY THIS SECTION, THE APPLICANT MAY PROCEED PURSUANT TO SECTION  
12 40-360.08, SUBSECTION B.

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

17 Amend title to conform

and, as so amended, it do pass

FRANKLIN M. PRATT  
Chairman

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H:jmb

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