

FINAL BILL REPORT

SHB 1037

C 325 L 07

Synopsis as Enacted

Brief Description: Regarding electrical transmission.

Sponsors: By House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Hudgins, Moeller and B. Sullivan).

House Committee on Technology, Energy & Communications
Senate Committee on Water, Energy & Telecommunications

Background:

Energy Facility Site Evaluation Council.

The Energy Facility Site Evaluation Council (EFSEC) is the one-stop permitting and certificating authority for the siting of major energy facilities in Washington. The EFSEC's jurisdiction does not extend to general electrical transmission lines. It does, however, have jurisdiction over (1) new transmission lines that operate in excess of 115 kilovolts that are necessary to connect a power plant to the region's power grid, and (2) electrical transmission facilities in "national interest electric transmission corridors" as designated by the U.S. Secretary of Energy.

Federal Electrical Transmission Study.

In August 2006, the Department of Energy issued the first National Electric Transmission Congestion Study (Study), which identified three classes of congestion: (1) areas where near-term action is needed, called "critical congestion areas;" (2) areas where additional analysis and information appear to be needed, called "congestion areas of concern;" and (3) areas where congestion would become a problem if new generation were to be developed without considering new transmission, called "conditional congestion areas."

Summary:

Electric Transmission Facilities Opt-in Provisions.

A person may choose to use the EFSEC siting process when developing electric transmission facilities of at least 115,000 volts, and the facilities are located in a completely new corridor in more than one jurisdiction that has promulgated land use plans or zoning ordinances.

A person may choose to use the EFSEC siting process when developing electric transmission facilities in excess of 115,000 volts, and the facilities are located outside of a national interest electric transmission corridor and are not new corridors.

Electrical Transmission Facilities Preapplication Process.

A person considering applying for a site certification agreement for any transmission facility may initiate a preapplication process. The preapplication process is initiated by written

correspondence from the preapplicant to the EFSEC, and includes the process adopted by the EFSEC for consulting with the preapplicant and with cities, towns, and counties prior to accepting applications for transmission facilities.

The EFSEC must consider and may recommend certification of electrical transmission facilities in corridors by affected cities, towns, or counties where:

- the jurisdictions have identified electrical transmission facility corridors as part of their land use plans and zoning maps based on policies in their plans;
- the proposed electrical transmission facility is consistent with any adopted development regulations that govern the siting of electrical transmission facilities in such corridors; and
- contiguous jurisdictions in which related regional electrical transmission facilities are located have either prior to or during the preapplication process undertaken good faith efforts to coordinate the locations of their corridors consistent with the Growth Management Act.

In the absence of a corridor designation as part of land use plans and zoning maps, preapplicants are required to negotiate for a reasonable time with affected cities, towns, and counties to attempt to reach agreement about a corridor plan. If no corridor plan is agreed to by the applicant and cities, towns, and counties, the applicant shall propose a recommended corridor and electrical transmission facilities to be included within the proposed corridor.

The EFSEC must develop and adopt rules to govern the process. Preapplicants are required to pay the EFSEC a fee of \$10,000 to be applied to the cost of the process.

National Interest Electric Transmission Corridors.

The EFSEC jurisdiction over national interest electric transmission corridors applies to electric transmission lines of at least 115,000 volts.

A legislative finding that transmission lines at or below 115,000 volts have historically been regulated by local government is repealed.

Definition.

The definition for "site" is amended to include alternative energy resource and electrical transmission facility.

Votes on Final Passage:

House	88	3	
Senate	48	0	(Senate amended)
House	98	0	(House concurred)

Effective: July 22, 2007