



General Assembly

January Session, 2003

Amendment

LCO No. 6567

SB0073306567HDO

Offered by:

REP. FRITZ, 90th Dist.

To: Subst. Senate Bill No. 733

File No. 428

Cal. No. 529

(As Amended)

**"AN ACT CONCERNING REVISIONS TO THE ELECTRIC
RESTRUCTURING LEGISLATION."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (c) of section 16-50p of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (c) (1) The council shall not grant a certificate for a facility described
7 in subdivision (3) of subsection (a) of section 16-50i, either as proposed
8 or as modified by the council, unless it finds and determines: (A) A
9 public benefit for the facility; (B) the nature of the probable
10 environmental impact, including a specification of every significant
11 adverse and beneficial effect that, whether alone or cumulatively with
12 other effects, conflicts with the policies of the state concerning the
13 natural environment, ecological balance, public health and safety,

14 scenic, historic and recreational values, forests and parks, air and
15 water purity and fish and wildlife; and (C) why the adverse effects or
16 conflicts referred to in subparagraph (B) of this subdivision are not
17 sufficient reason to deny the application. For purposes of
18 subparagraph (A) of this subdivision, a public benefit exists if such a
19 facility is necessary for the reliability of the electric power supply of
20 the state or for a competitive market for electricity.

21 (2) The council shall not grant a certificate for a facility described in
22 subdivision (1) of subsection (a) of section 16-50i which is substantially
23 underground or underwater except where such facilities interconnect
24 with existing overhead facilities, either as proposed or as modified by
25 the council, unless it finds and determines: (A) A public benefit for the
26 facility; (B) the nature of the probable environmental impact, including
27 a specification of every single adverse and beneficial effect that,
28 whether alone or cumulatively with other effects, conflict with the
29 policies of the state concerning the natural environment, ecological
30 balance, public health and safety, scenic, historic and recreational
31 values, forests and parks, air and purity and fish and wildlife; (C) why
32 the adverse effects or conflicts referred to in subparagraph (B) of this
33 subdivision are not sufficient reason to deny the application; (D) in the
34 case of a new electric transmission line, (i) what part, if any, of the
35 facility shall be located overhead, (ii) that the facility conforms to a
36 long-range plan for expansion of the electric power grid of the electric
37 systems serving the state and interconnected utility systems and will
38 serve the interests of electric system economy and reliability, and (iii)
39 that the overhead portions of the facility, if any, are cost-effective and
40 the most appropriate alternative based on a life-cycle cost analysis of
41 the facility and underground alternatives to such facility and are
42 consistent with the purposes of this chapter, with such regulations as
43 the council may adopt pursuant to subsection (a) of section 16-50t, and
44 with the Federal Energy Regulatory Commission "Guidelines For the
45 Protection of Natural Historic Scenic and Recreational Values in the
46 Design and Location of Rights-of-Way and Transmission Facilities" or
47 any other successor guidelines and any other applicable federal

48 guidelines; and (E) in the case of an electric or fuel transmission line,
49 that the location of the line will not pose an undue hazard to persons
50 or property along the area traversed by the line. For purposes of
51 subparagraph (A) of this subdivision, a public benefit exists if such a
52 facility is necessary for the reliability of the electric power supply of
53 the state or for the development of a competitive market for electricity.

54 (3) Notwithstanding any provision of the general statutes, the
55 council shall not grant a certificate for an application filed on or after
56 May 1, 2003, for an electric transmission line with a capacity of three
57 hundred forty-five kilovolts or more unless such application proposes
58 underground burial of such line in all residential areas and overhead
59 installation of such line in industrial and open space areas affected by
60 such proposal."