

**FORTY-SEVENTH LEGISLATURE  
FIRST SESSION, 2005**

March 17, 2005

Mr. Speaker:

Your **GOVERNMENT AND URBAN AFFAIRS COMMITTEE**, to whom has been referred

**SENATE BILL 847, as amended**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike Senate Corporations and Transportation Committee Amendment 1.

2. On page 4, line 2, after "given", insert ", pursuant to commission order,".

3. On page 8, line 3, after "approval" strike "for" and strike lines 4 through 6 in their entirety and insert in lieu thereof:

"of an electric transmission line or associated facilities designed for or capable of operation at a nominal voltage of one hundred fifteen kilovolts or more but less than two hundred thirty kilovolts if:

(1) the public utility files an application for construction, extension, rebuilding or improvement of the electric transmission line or associated equipment under any applicable county or municipal land use statute, ordinance or administrative regulation; and

(2) the agency, board or commission of the county or municipality disapproves the application. For purposes of this subsection, "disapprove" means the failure of the county or municipal agency, board or commission to issue a final order approving the application within two hundred forty days of the public utility's filing of a complete application with the agency, board or commission. An application shall be deemed complete if within fifteen working days of the public utility's filing of the application, or a supplement or amendment thereto, the agency, board or commission fails to send written notice to the public utility enumerating the specific requirements under the applicable county or municipal land use statute, ordinance or administrative regulation that the application fails to satisfy.

**FORTY-SEVENTH LEGISLATURE  
FIRST SESSION, 2005**

Page 2

I. Upon consideration of the application and the standards set forth in Subsection G of this section, the commission may authorize construction, extension, rebuilding or improvement of the transmission line or facilities notwithstanding the prior disapproval of the county or municipal agency, board or commission. The judgment of the commission shall be conclusive on all questions of siting, land use, aesthetics and any other state or local requirements affecting the siting."

Respectfully submitted,

\_\_\_\_\_  
**Mimi Stewart, Chair**

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 4 For 0 Against  
Yes: 4  
No: 0  
Excused: Irwin, Luna, Varela  
Absent: None

.158126.1  
SB0847GU1.wpd