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House Bill 5807 (Substitute H-2 as reported with amendments)
House Bill 5808 (Substitute H-1 as reported without amendment)
Sponsor: Representative Bill McConico (H.B. 5807)
Representative Ken Bradstreet (H.B. 5808)
House Committee: Energy and Technology
Senate Committee: Technology and Energy

CONTENT

House Bill 5807 (H-2) would amend Public Act 238 of 1923 (which governs electric and gas corporations) to do the following:

- Require a corporation that generated or transmitted electricity to obtain from the Michigan Public Service Commission (PSC) a certificate of necessity before commencing any condemnation proceedings, if it were required under the Electric Transmission Line Certification Act.
- Grant an independent transmission company or an affiliated transmission company the power to condemn property that was necessary to transmit electricity for public use, except under certain circumstances, subject to the Electric Transmission Line Certification Act and the Uniform Condemnation Procedures Act.
- Provide that an independent or affiliated transmission company, in condemning property, would be subject to the same procedures and requirements as a corporation formed under Public Act 238.

House Bill 5808 (H-1) would amend the Electric Transmission Line Certification Act to extend to independent and affiliated transmission companies provisions related to the construction of transmission lines, which currently apply to electric utilities (i.e., a company would have to submit to the PSC a construction plan for a major transmission line and receive a certificate of public convenience and necessity, and could file an application for a proposed transmission line other than a major transmission line).

The bill also would allow a court, in a condemnation proceeding, to grant a limited license to an independent or affiliated transmission company to conduct preconstruction activity related to a proposed transmission line, if certain conditions were met (as currently allowed for an electric utility).

The bills are tie-barred to each other.

MCL 486.253 et al. (H.B. 5807)
460.562 et al. (H.B. 5808)

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 6-17-04

Fiscal Analyst: Maria Tyszkiewicz