

**ASSEMBLY BILL**

**No. 1453**

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**Introduced by Assembly Member Rendon**

February 27, 2015

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An act to amend Section 1005.1 of the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

AB 1453, as introduced, Rendon. Electrical transmission: certificates of public convenience and necessity.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined. The Public Utilities Act prohibits any electrical corporation from beginning the construction of, among other things, a line, plant, or system, or of any extension thereof, without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require that construction (certificate of public convenience and necessity). Existing law requires the commission to issue a decision on an application for a certificate of public convenience and necessity within 18 months of the filing of a completed application if the application is for a certificate for building or upgrading an electrical transmission line that the commission finds necessary to provide transmission to load centers for electricity generated in a high-priority renewable energy zone or is reasonably necessary to facilitate achievement of the renewables portfolio standard established pursuant to the California Renewables Portfolio Standard Program and the commission considers specified matter. The matter that the commission is required to consider includes the availability of

cost-effective alternatives to transmission, such as energy efficiency measures and distributed generation.

This bill would require the commission to consider the availability of cost-effective alternatives to transmission, such as energy efficiency or demand response measures and distributed generation.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1005.1 of the Public Utilities Code is  
2 amended to read:

3 1005.1. (a) The commission shall issue a decision on an  
4 application for a certificate within 18 months of the date of filing  
5 of the completed application, when all of the following are true:

6 (1) The application is for a certificate for building or upgrading  
7 an electrical transmission line that the commission finds necessary  
8 to provide transmission to load centers for electricity generated in  
9 a high priority renewable energy zone or is reasonably necessary  
10 to facilitate achievement of the renewables portfolio standard  
11 established in Article 16 (commencing with Section 399.11) of  
12 Chapter 2.3.

13 (2) The commission has considered all of the following:

14 (A) The utilization of rights-of-way by upgrading existing  
15 transmission facilities instead of building new transmission  
16 facilities, where technically and economically justifiable.

17 (B) The expansion of existing rights-of-way, if technically and  
18 economically feasible, when construction of new transmission  
19 lines is required.

20 (C) The creation of new rights-of-way when justified by  
21 environmental, technical, and economic reasons.

22 (D) The availability of cost-effective alternatives to transmission,  
23 such as energy efficiency *or demand response* measures and  
24 distributed generation.

25 (3) The commission has not expressly found any of the  
26 following:

27 (A) That the investment is not reasonable and necessary to  
28 maintain or enhance reliability of the transmission grid.

1 (B) That the building or upgrading of the electrical transmission  
2 line will not maintain or enhance efficient use of the transmission  
3 grid.

4 (C) That the transmission line fails to meet other applicable  
5 standards and requirements for approval and construction.

6 (b) An extension of time may be granted by the commission if  
7 it finds the extension is necessary for completion of review  
8 pursuant to the California Environmental Quality Act (Division  
9 13 (commencing with Section 21000) of the Public Resources  
10 Code).

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