

ASSEMBLY BILL

No. 1214

Introduced by Assembly Member Skinner

February 18, 2011

An act relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

AB 1214, as introduced, Skinner. Electrical transmission.

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 CPUC a certificate that the present or future public convenience and necessity require or will require that construction (certificate of public convenience and necessity).

This bill would state the intent of the Legislature to enact legislation that would eliminate redundant needs determinations for electrical transmission investments and that would enable a single certificate of public convenience and necessity proceeding to address federally approved electrical transmission plans.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation to do both of the following:

1 (a) Eliminate redundant needs determinations for electrical
2 transmission investments. It is the intent of the Legislature that
3 when the Independent Systems Operator (ISO) has determined
4 that the building or upgrading of electrical transmission is
5 necessary, and that determination has been approved by the Federal
6 Energy Regulatory Commission (FERC), that absent a showing
7 of good cause based upon newly developed information that was
8 not available at the time of the determination by the ISO, the Public
9 Utilities Commission shall find that the construction or extension
10 is necessary for the present or future public convenience and
11 necessity pursuant to Chapter 5 (commencing with Section 1001)
12 of Part 1 of Division 1 of the Public Utilities Code. It is the further
13 intent of the Legislature that the Public Utilities Commission shall
14 find that the construction or extension is necessary for purposes
15 of Section 399.2.5 of the Public Utilities Code if the commission
16 finds that the construction or extension is for the purpose of
17 achieving the renewables portfolio standard established pursuant
18 to Article 16 (commencing with Section 399.11) of Chapter 2.3
19 of Part 1 of Division 1 of, or adopted by a local publicly owned
20 electric utility pursuant to Section 387 of, the Public Utilities Code.
21 (b) To enable a single certificate of public convenience and
22 necessity proceeding to address federally approved electrical
23 transmission plans. It is the intent of the Legislature that with
24 respect to a transmission plan or generator interconnection
25 agreement that is for the purpose of achieving the renewables
26 portfolio standard, that has multiple stages, and that been approved
27 by the FERC, a project sponsor shall have the option of filing a
28 single application for a certificate of public convenience and
29 necessity.