

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2756 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Trey Caldwell

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2756

6 By: Caldwell (Trey)

7
8 FLOOR SUBSTITUTE

9 An Act relating to electric transmission facilities;
10 providing definitions; providing for certain
11 exemptions; creating applications for specific
12 certificates; requiring certain information for
13 applications; determining when certain updated
14 information is to be filed; requiring certain actions
15 before certain hearings; requiring different types of
16 notice; requiring public meetings; determining
17 insurance requirements; requiring a public safety
18 plan; requiring notice of public benefit; determining
19 decommission plans; providing for additional
20 information; providing for approval of certificates;
21 determining alternative approval of certificates;
22 allowing for assessment of application; requiring the
23 promulgation of rules; providing for codification;
24 and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of a new law not to be
codified in the Oklahoma Statutes reads as follows:

1 This act shall be known and may be cited as the "High Voltage
2 Electric Transmission Facility Act".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 850 of Title 17, unless there is
5 created a duplication in numbering, reads as follows:

6 1. "Certificate of Authority" means authorization for a
7 transmission developer to comply with the provisions of this act by
8 an order of the Commission through filing a case with an
9 application, notice, and hearing. The Commission shall establish a
10 unique and identifiable designation for the filing of such cases;

11 2. "Electric transmission facility" means a high-voltage
12 transmission line or high-voltage associated transmission facility
13 with a rating of greater than three hundred (300) kilovolts;

14 3. "FERC" means the Federal Energy Regulatory Commission;

15 4. "Transfer" means any sale, assignment, or change in
16 ownership of the electric transmission facility by a transmission
17 developer; and

18 5. "Transmission developer" means any person, firm,
19 corporation, or entity that develops, owns, operates, controls,
20 manages, or maintains an electric transmission facility within the
21 State of Oklahoma and is licensed to do business in Oklahoma.

22 SECTION 3. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 851 of Title 17, unless there is
24 created a duplication in numbering, reads as follows:

1 A. This section shall not be construed to require any Oklahoma
2 retail electric supplier or rural electric cooperative to secure a
3 Certificate of Authority for any extension, rebuild, or upgrade of
4 an existing electric transmission facility.

5 B. A transmission developer shall file an application to obtain
6 a Certificate of Authority from the Commission for each electric
7 transmission facility. No electric transmission facility shall be
8 commenced without obtaining a Certificate of Authority. Said
9 application shall include, but is not limited to, the following:

10 1. The name, address, and contact information, of a named
11 representative(s) of the transmission developer and a telephone
12 number and electronic email address for each such representative(s);

13 2. A description and a map or plat of the proposed route(s) or
14 alternative route(s) for any electric transmission facility
15 regardless of whether or not a transmission developer has made a
16 submission or received approval from the Southwest Power Pool or any
17 other applicable regional planning process or other federal
18 authority;

19 3. Identification of any and all such counties within the
20 electric transmission facility's route(s) or alternative route(s);

21 4. Identification of any energy resource(s) to which the
22 electric transmission facility is to be directly connected or, to
23 the extent known, resources to which the electric transmission
24

1 facility could be connected to integrate existing natural gas or
2 other resource generation; and

3 5. Estimate of the costs, including potential costs or savings
4 impacts, to any Oklahoma electric customers and the estimated time
5 frame for the electric transmission facility being developed.

6 C. If the transmission developer is required to file subsequent
7 forms with the FERC or any other agency or organization due to
8 changing routes or height of individual structures from the
9 locations or heights originally proposed, the transmission developer
10 shall, within ten (10) days of filing with the FERC or other agency
11 or organization, file such subsequent forms with the Commission. A
12 transmission developer shall not be required to start the
13 notification process over unless the subsequent FERC or other agency
14 or organization application expands the project beyond the original
15 boundaries in the application filed with the Commission.

16 D. Prior to or at the time of the hearing on the Certificate of
17 Authority, the transmission developer shall provide:

18 1. Within thirty (30) days after filing an application with the
19 Commission as provided for in subsection B of this section, proof of
20 publication that the transmission developer published notice of the
21 application in a newspaper of general circulation in the county or
22 counties in which all or a portion of the electric transmission
23 facility is to be located;

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1 2. Within sixty (60) days after filing an application with the
2 Commission as provided in subsection B of this section, proof of
3 service that the transmission developer published notice to be sent,
4 by certified mail to:

5 a. the board of county commissioners of every county in
6 which all or a portion of the electric transmission
7 facility is to be located and, if all or a portion of
8 the electric transmission facility is to be located
9 within the incorporated area of a municipality, the
10 governing body of the municipality,

11 b. all surface landowners, as reflected in the public
12 land records of the county clerk's office, upon which
13 all or any part of the surface estate is located
14 within the electric transmission facility route(s) or
15 alternative route(s),

16 c. any operator, as reflected in the records of the
17 Commission, who is conducting oil and gas operations
18 upon all or any part of the surface estate as to which
19 the transmission developer intends the construction of
20 the electric transmission facility, and

21 d. any operator, as reflected in the records of the
22 Commission, of an unspaced unit, or a unit created by
23 order of the Commission, who is conducting oil and gas
24 operations for the unit where all or any part of the

1 unit area is within the geographical boundaries of the
2 surface estate as to which the transmission developer
3 intends the construction of the electric transmission
4 facility.

5 If the transmission developer makes a search with reasonable
6 diligence and the whereabouts of any party entitled to any notice
7 described in paragraph 2 of this subsection cannot be ascertained or
8 such notice cannot be delivered, then an affidavit attesting to such
9 diligent search for the parties shall be filed with the Commission;

10 3. Within ninety (90) days of publishing the notice in a
11 newspaper as provided for in paragraph 1 of subsection D of this
12 act, the transmission developer shall hold a public meeting in the
13 county or counties in which all or a portion of the electric
14 transmission facility is to be located. Notice of the public
15 meeting shall be published in a newspaper of general circulation and
16 submitted to the board of county commissioners in the county or
17 counties in which all or a portion of the electric transmission
18 facility is to be located. The notice shall contain the place,
19 date, and time of the public meeting. Proof of the publication of
20 the notice shall be submitted to the Commission;

21 4. An attestation that the transmission developer has or shall
22 secure or maintain sufficient insurance coverage to cover any and
23 all aspects of the electric transmission facility from construction
24 through operation and maintenance, or any transfer of ownership;

1 5. Evidence that impacts to the environment and public safety
2 will be addressed by the transmission developer;

3 6. A safety plan is in place and will be updated for the
4 electric transmission facility and will be provided to the
5 Commission upon request;

6 7. The electric transmission facility is beneficial and in the
7 public interest;

8 8. A decommission plan that identifies the methodology used to
9 mitigate potential impacts resulting from the cessation of operation
10 at the end of the electric transmission facility's useful life,
11 which includes, but is not limited to:

12 a. identification of specific project components that
13 will be removed,

14 b. a description of the decommission process in the event
15 of abandonment during construction and abandonment
16 during operation,

17 c. a description of the process used for land and road
18 restoration, and

19 d. the financial capability of a transmission developer,
20 including a financial surety guarantee, if required by
21 the Commission prior to commencing construction or
22 upon any transfer of ownership, in a form and amount
23 to be determined by the Commission, which shall remain
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1 in effect until release is authorized by the
2 Commission; and

3 9. Any additional information required by the Commission shall
4 be requested from the transmission developer prior to or during the
5 hearing, including, but not limited to, information related to
6 potential impacts to ad valorem taxes to surface owners.

7 E. Approval through an order of the Commission is required
8 prior to the effectiveness of any transfer.

9 F. Within two hundred (200) days of filing the original
10 application or any amended application with the Commission, if the
11 transmission developer has met the aforementioned requirements, the
12 Commission shall issue an order granting a Certificate of Authority.
13 Failure to issue an order on a completed application by the
14 Commission shall result in the Certificate of Authority being deemed
15 granted.

16 G. The Commission is authorized to assess a filing fee for any
17 Certificate of Authority, not to exceed One Thousand Dollars
18 (\$1,000.00). The Commission shall promulgate rules to effect this
19 act. Nothing in this act will be deemed to authorize any
20 transmission developer the power to exercise eminent domain,
21 condemnation, siting, or project specific approval not already
22 provided in the Oklahoma Statutes.

23 SECTION 4. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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