

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2756

By: Caldwell (Trey) of the  
House

and

**Green** of the Senate

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10                                   COMMITTEE SUBSTITUTE

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

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

SECTION 1.           NEW LAW           A new section of law to be codified  
in the Oklahoma Statutes as Section 850 of Title 17, unless there is  
created a duplication in numbering, reads as follows:

1        1. "Certificate of Authority" means authorization for a  
2 transmission developer by an order of the Oklahoma Corporation  
3 Commission through filing a case with an application, notice, and  
4 hearing. The Commission shall establish a specific electric  
5 transmission facility docket for the filing of such cases;

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

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

10       4. "Transfer" means any sale, assignment, or change in  
11 ownership of the electric transmission facility by a transmission  
12 developer; and

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

17       SECTION 2.       NEW LAW       A new section of law to be codified  
18 in the Oklahoma Statutes as Section 851 of Title 17, unless there is  
19 created a duplication in numbering, reads as follows:

20       A. This section shall not be construed to require any Oklahoma  
21 retail electric supplier or rural electric cooperative to secure a  
22 Certificate of Authority for any extension, rebuild, or upgrade of  
23 an existing electric transmission facility within or through any  
24 territory already served by it or to facilities owned by it.

1 B. A transmission developer shall file an application to obtain  
2 a Certificate of Authority from the Oklahoma Corporation Commission  
3 for each electric transmission facility. No electric transmission  
4 facility shall be commenced without obtaining a Certificate of  
5 Authority. Said application shall contain, but is not limited to,  
6 the following:

7 1. The name, address, and contact information, of a named  
8 representative or representatives of the transmission developer and  
9 a telephone number and electronic email address for each such  
10 representative;

11 2. A description and a map or plat of the proposed routes or  
12 alternative routes for any electric transmission facility regardless  
13 of whether a transmission developer has made a submission or  
14 received approval from the Southwest Power Pool or any other  
15 applicable regional planning entity or other federal authority;

16 3. Identification of any and all such counties within the  
17 electric transmission facility's routes or alternative routes;

18 4. Identification of any energy resource or resources to which  
19 the electric transmission facility is to be directly connected or,  
20 to the extent known, resources to which the electric transmission  
21 facility could be connected to integrate existing natural gas or  
22 other resource generation; and  
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1           5. Estimate of the costs, including potential costs or savings  
2 impacts, to any Oklahoma electric customer and the estimated time  
3 frame for the electric transmission facility being developed.

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

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

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

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

- 3 a. the board of county commissioners of every county in  
4 which all or a portion of the electric transmission  
5 facility is to be located and, if all or a portion of  
6 the electric transmission facility is to be located  
7 within the incorporated area of a municipality, the  
8 governing body of the municipality,
- 9 b. all surface landowners, as reflected in the public  
10 land records of the county clerk's office, upon which  
11 all or any part of the surface estate is located  
12 within the electric transmission facility routes or  
13 alternative routes,
- 14 c. any operator, as reflected in the records of the  
15 Commission, who is conducting oil and gas operations  
16 upon all or any part of the surface estate as to which  
17 the transmission developer intends the construction of  
18 the electric transmission facility, and
- 19 d. any operator, as reflected in the records of the  
20 Commission, of an unspaced unit, or a unit created by  
21 order of the Commission, who is conducting oil and gas  
22 operations for the unit where all or any part of the  
23 unit area is within the geographical boundaries of the  
24 surface estate as to which the transmission developer

1           intends the construction of the electric transmission  
2           facility.

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

8           3. An attestation that the transmission developer has  
9 sufficient insurance coverage to cover any and all aspects of the  
10 electric transmission facility from the commencement of the electric  
11 transmission facility through operation and maintenance;

12           4. Documents stating impacts to the environment and public  
13 safety will be addressed by the transmission developer;

14           5. A safety plan is in place and will be updated for the  
15 electric transmission facility and will be provided to the  
16 Commission upon request;

17           6. The electric transmission facility is beneficial to the  
18 public interest;

19           7. A decommission plan that identifies the methodology used to  
20 mitigate potential impacts resulting from the cessation of operation  
21 at the end of the electric transmission facility's useful life,  
22 which includes, but is not limited to:

- 23           a. identification of specific project components that  
24           will be removed,

- 1           b. a description of the decommission process in the event  
2           of abandonment during construction and abandonment  
3           during operation,
- 4           c. a description of the process used for land and road  
5           restoration, and
- 6           d. the financial capability, including a financial surety  
7           guarantee, the form and amount to be determined by the  
8           Commission, which shall remain in effect until release  
9           is authorized by the Commission; and

10           Any additional information required by the Commission shall be  
11 requested from the transmission developer prior to or during the  
12 hearing, including, but not limited to, information related to  
13 potential impacts to ad valorem taxes to surface owners.

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

1 F. Approval through an order of the Commission is required  
2 prior to the effectiveness of any transfer.

3 G. Within two hundred (200) days of filing the original  
4 application or any amended application with the Commission, if the  
5 transmission developer has met the aforementioned requirements, the  
6 Commission shall issue an order granting a Certificate of Authority.  
7 Failure to issue an order on a completed application by the  
8 Commission shall result in the Certificate of Authority being deemed  
9 granted.

10 H. The Commission is authorized to assess a filing fee for any  
11 Certificate of Authority, not to exceed One Thousand Dollars  
12 (\$1,000.00). The Commission shall promulgate rules to effect this  
13 section.

14 SECTION 3. It being immediately necessary for the preservation  
15 of the public peace, health or safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

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19 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES  
20 OVERSIGHT, dated 02/26/2025 - DO PASS, As Amended and Coauthored.

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