# MAINE STATE LEGISLATURE

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## 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

Legislative Document

No. 398

H.P. 314

House of Representatives, January 29, 2007

An Act To Require Transmission Lines To Be Placed Underground near Certain Facilities

Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative VALENTINO of Saco.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: ADAMS of Portland, BLANCHARD of Old Town, BLISS of South Portland,
HOGAN of Old Orchard Beach, MAZUREK of Rockland, PILON of Saco, Senator:
HOBBINS of York.

### 1 Be it enacted by the People of the State of Maine as follows:

- Sec. 1. 35-A MRSA §3132, sub-§5, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:
- 5. Commission approval of a proposed line. The commission may approve or disapprove all or portions of a proposed transmission line and shall make such orders regarding its character, size, installation and maintenance as are necessary, having regard for any increased costs caused by the orders. The commission may not approve a proposed transmission line capable of operating at 115 kilovolts or more unless it satisfies the requirements of section 3132-A.
- Sec. 2. 35-A MRSA §3132-A is enacted to read:

#### 11 §3132-A. Underground transmission lines required near certain facilities

- 12 <u>I. Underground requirement.</u> Any portion of a transmission line capable of operating at 115 kilovolts or more that is constructed, rebuilt or relocated on or after October 1, 2007 must be placed underground if it is located adjacent to:
- 15 A. A residential area;
- 16 B. A public playground;
- 17 <u>C. A private school or public school, as defined in Title 20-A, section 1;</u>
- D. A child care facility, as defined in Title 22, section 8301-A, subsection 1-A; or
- 19 E. A recreational camp, as defined in Title 22, section 2491, that serves children.
- 20 2. Exemption. A transmission and distribution utility may obtain an exemption to
  the requirement in subsection 1 by demonstrating to the commission that it is
  technologically infeasible to place the transmission line underground. In determining
  such infeasibility the commission shall consider the effect of placing the transmission line
  underground on the reliability of the electricity transmission system in the State.
- 3. Rules. The commission shall adopt rules to implement this section. Rules
   adopted pursuant to this subsection are routine technical rules as defined in Title 5,
   chapter 375, subchapter 2-A.

28 SUMMARY

29 This bill requires that high-voltage transmission lines capable of operating at 115 kilovolts or more constructed, rebuilt or relocated on or after October 1, 2007 near areas 30 31 that are frequently used by children, including residential areas, public playgrounds, 32 schools, child care facilities and children's camps, be placed underground. The bill directs the Public Utilities Commission to adopt rules regarding this requirement, and it 33 34 provides an exemption from the requirement if a transmission and distribution utility can 35 demonstrate to the Public Utilities Commission that it is technologically infeasible to 36 place the transmission line underground.

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