

SUBSTITUTE FOR
HOUSE BILL NO. 4483

A bill to amend 1995 PA 30, entitled
"Electric transmission line certification act,"
by amending section 2 (MCL 460.562), as amended by 2004 PA 198.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Affiliated transmission company" means a person,
3 partnership, corporation, association, or other legal entity, or
4 its successors or assigns, ~~which~~ **THAT** has fully satisfied the
5 requirements to join a regional transmission organization, ~~as~~
6 ~~determined by the federal energy regulatory commission, THAT IS~~
7 **CONSIDERED A QUALIFIED TRANSMISSION DEVELOPER BY A REGIONAL**
8 **TRANSMISSION ORGANIZATION, THAT** is engaged ~~in this state in the~~
9 transmission of electricity, ~~using facilities it owns that were~~
10 ~~transferred to the entity by an electric utility that was engaged~~
11 ~~in the generation, transmission, and distribution of electricity in~~
12 ~~this state on December 31, 2000, and~~ **THAT** is not independent of an

electric utility or an affiliate of the utility ~~—~~generating or distributing electricity to retail customers in this state.

AFFILIATED TRANSMISSION COMPANY DOES NOT INCLUDE AN ELECTRIC UTILITY.

(b) "Certificate" means a certificate of public convenience and necessity issued for a major transmission line under this act or issued for a transmission line under section 9.

(c) "Commission" means the Michigan public service commission.

(d) "Construction" means any substantial action taken on a route constituting placement or erection of the foundations or structures supporting a transmission line. Construction does not include preconstruction activity or the addition of circuits to an existing transmission line.

(e) "Electric utility" means a person, partnership, corporation, association, or other legal entity whose transmission or distribution of electricity the commission regulates under 1909 PA 106, MCL 460.551 to 460.559, or 1939 PA 3, MCL 460.1 to ~~460.10ee.~~ **460.11**. Electric utility does not include a municipal utility, affiliated transmission company, or independent transmission company.

(f) "Independent transmission company" means a person, partnership, corporation, association, or other legal entity, or its successors or assigns, **THAT HAS FULLY SATISFIED THE REQUIREMENTS TO JOIN A REGIONAL TRANSMISSION ORGANIZATION, THAT IS CONSIDERED A QUALIFIED TRANSMISSION DEVELOPER BY A REGIONAL TRANSMISSION ORGANIZATION, THAT IS** engaged ~~in this state~~ **OR IS PROPOSING TO BE ENGAGED** in the transmission of electricity, ~~using~~

1 ~~facilities it owns that have been divested to the entity by an~~
2 ~~electric utility that was engaged in the generation, transmission,~~
3 ~~and distribution of electricity in this state on December 31, 2000,~~
4 and **THAT** ~~is independent of an electric utility or~~ **NOT** an affiliate
5 of ~~the~~ **AN ELECTRIC** utility, generating or distributing electricity
6 to retail customers in this state.

7 (g) "Major transmission line" means a transmission line of 5
8 miles or more in length wholly or partially owned by an electric
9 utility, affiliated transmission company, or independent
10 transmission company through which electricity is transferred at
11 system bulk supply voltage of 345 kilovolts or more.

12 (h) "Municipality" means a city, township, or village.

13 (i) "Preconstruction activity" means any activity on a
14 proposed route conducted before construction of a transmission line
15 begins. Preconstruction activity includes surveys, measurements,
16 examinations, soundings, borings, sample-taking, or other testing
17 procedures, photography, appraisal, or tests of soil, groundwater,
18 structures, or other materials in or on the real property for
19 contamination. Preconstruction activity does not include an action
20 that permanently or irreparably alters the real property on or
21 across the proposed route.

22 (j) "Route" means real property on or across which a
23 transmission line is constructed or proposed to be constructed.

24 (k) "Transmission line" means all structures, equipment, and
25 real property necessary to transfer electricity at system bulk
26 supply voltage of 100 kilovolts or more.