

By: Representatives Anderson (122nd), Stamps To: Public Utilities

HOUSE BILL NO. 1061
(As Passed the House)

1 AN ACT TO CREATE NEW SECTION 77-3-11.1, MISSISSIPPI CODE OF
2 1972, TO MAINTAIN STATE JURISDICTION OVER THE INTEGRITY OF
3 ELECTRIC TRANSMISSION INFRASTRUCTURE IN ORDER TO ASSURE LANDOWNER
4 SAFEGUARDS, TRANSPARENCY AND OVERSIGHT OF CUSTOMER RATES,
5 RELIABILITY AND RELIEF; TO PRESCRIBE THE REQUIREMENTS FOR THE
6 ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO
7 BUILD CERTAIN ELECTRIC TRANSMISSION FACILITIES IN A REGIONAL
8 TRANSMISSION ORGANIZATION; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. The following shall be codified as Section
11 77-3-11.1 of the Mississippi Code of 1972:

12 77-3-11.1. (1) In order to effectuate the policy contained
13 in Section 77-3-2, to assure a local forum for landowner
14 safeguards, transparency and oversight of customer rates,
15 reliability and relief, an application filed under Section 77-3-11
16 or Section 77-3-14, for a certificate of public convenience and
17 necessity to build, own, or operate a new transmission facility in
18 a regional transmission organization can only satisfy the public
19 convenience and necessity if such facilities will ultimately be
20 owned by: (a) an entity over which the commission has the
21 jurisdiction to set rates, as provided in Sections 77-3-5 and



22 77-3-33, (b) a "generation and transmission cooperative" or "G&T
23 cooperative" as defined in Section 77-5-256, or (c) an entity
24 that agrees to submit to commission jurisdiction over
25 standards for service quality and customer service and, as
26 to costs ultimately to be borne by Mississippi electric
27 customers, agrees to recover through any applicable
28 transmission tariff only those costs, including cost of
29 capital, approved by the commission.

30 (2) Nothing in this section shall apply to applications
31 filed before the effective date of this act, nor to any amendments
32 or supplements to such application made thereafter. Nothing in
33 this section is intended to require a certificate for facilities
34 that the commission has determined by rule do not require
35 certification to build, own, or operate.

36 **SECTION 2.** This act shall take effect and be in force from
37 and after its passage.

