

PUBLIC UTILITY PURPOSES AND BEING UTILIZED IN PROVIDING A PUBLIC SERVICE SHALL BE SUBJECT TO THE CONSENT OF SUCH BOARD, COMMISSION, OR OTHER BODY OF A SIGNATORY AS MAY HAVE REGULATORY JURISDICTION OVER THE UTILITY OR SERVICE, UNLESS THE AFFECTED FACILITY IS TO BE RELOCATED OR UNLESS SUCH ACQUISITION WILL NOT AFFECT THE OPERATION OF THE UTILITY OR SERVICE, PROVIDED, THAT IN THE EVENT OF RELOCATION THE COST THEREOF SHALL BE PAID IN ACCORDANCE WITH THE LAW OF THE STATE IN WHICH THE FACILITY IS LOCATED BUT ANY SUCH COST PAYABLE BY THE COMMISSION SHALL NOT IN ANY EVENT EXCEED THE EXPENDITURE REQUIRED TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY.

(B) EXCEPT AS LIMITED BY SECTION 9.05, WHENEVER ANY SIGNATORY OR POLITICAL SUBDIVISION OF A SIGNATORY OF PUBLIC UTILITY OWNS ANY LAND OR ANY EASEMENT, RIGHT-OF-WAY OR OTHER INTEREST IN LAND WHICH IS DEVOTED TO A PUBLIC USE, AND WHICH THE COMMISSION DEEMS NECESSARY TO ACQUIRE, THE COMMISSION MAY ACQUIRE BY GIFT, PURCHASE, OR BY EXERCISE OF THE POWER OF EMINENT DOMAIN OTHER LAND OR EASEMENT, RIGHT-OF-WAY OR INTEREST IN LAND AND CONVEY THE SAME TO SUCH SIGNATORY, POLITICAL SUBDIVISION OR PUBLIC UTILITY FOR USE BY IT IN EXCHANGE FOR THE LAND, EASEMENT, RIGHT-OF-WAY, OR OTHER INTEREST IN LAND THERETOFORE OWNED BY IT BUT NEEDED BY THE COMMISSION FOR PURPOSES OF THIS COMPACT.

(C) PROCEEDINGS FOR CONDEMNATION BY THE COMMISSION SHALL BE INSTITUTED AND CONDUCTED IN THE NAME OF THE COMMISSION AS PETITIONER WITHOUT NAMING THE INDIVIDUALS WHO MAY BE SUCH COMMISSIONERS. THE POWER OF CONDEMNATION SHALL BE EXERCISED IN ACCORDANCE WITH THE PROVISIONS OF THE STATE CONDEMNATION LAW IN FORCE IN THE SIGNATORY STATE IN WHICH THE PROPERTY IS LOCATED. IF THERE IS NO APPLICABLE STATE CONDEMNATION LAW, THE POWER OF CONDEMNATION SHALL BE EXERCISED IN ACCORDANCE WITH THE PROVISIONS OF FEDERAL CONDEMNATION LAW.

(D) THE PURCHASE PRICE OR AMOUNT AWARDED AS COMPENSATION IN ANY CONDEMNATION PROCEEDING SHALL BE PAID BY THE COMMISSION, AND NONE OF THE SIGNATORIES SHALL BE LIABLE FOR THE PAYMENT THEREOF.

(E) IN ADDITION TO THE EXERCISE OF THE POWER OF EMINENT DOMAIN BY THE COMMISSION AS HEREINABOVE PROVIDED, THE APPROPRIATE OFFICIALS, AGENCIES, AND POLITICAL SUBDIVISIONS LYING WITHIN THE BASIN, OF EACH SIGNATORY, HAVING THE POWER OF EMINENT DOMAIN ARE