

(2) "Construction" does not include a change that is needed for the temporary use of a site or route for nonutility purposes or for use in securing geological data, including any boring that is necessary to ascertain foundation conditions.

(b) [An electric company may not begin construction in the State of a generating station or of an overhead transmission line that is designed to carry a voltage in excess of 69,000 volts, or exercise the right of condemnation in connection with the construction, unless a certificate of public convenience and necessity for the construction is first obtained from the Commission.]

(1) UNLESS A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CONSTRUCTION IS FIRST OBTAINED FROM THE COMMISSION, A PERSON MAY NOT BEGIN CONSTRUCTION IN THE STATE OF A GENERATING STATION.

(2) UNLESS A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CONSTRUCTION IS FIRST OBTAINED FROM THE COMMISSION, AND THE COMMISSION HAS FOUND THAT THE CAPACITY IS NECESSARY TO ENSURE A SUFFICIENT SUPPLY OF ELECTRICITY TO CUSTOMERS IN THE STATE, A PERSON MAY NOT EXERCISE A RIGHT OF CONDEMNATION IN CONNECTION WITH THE CONSTRUCTION OF A GENERATING STATION.

(3) UNLESS A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE CONSTRUCTION IS FIRST OBTAINED FROM THE COMMISSION, AN ELECTRIC COMPANY MAY NOT BEGIN CONSTRUCTION OF AN OVERHEAD TRANSMISSION LINE THAT IS DESIGNED TO CARRY A VOLTAGE IN EXCESS OF 69,000 VOLTS OR EXERCISE A RIGHT OF CONDEMNATION WITH THE CONSTRUCTION.

(c) (1) On receipt of an application for a certificate of public convenience and necessity under this section, the Commission shall provide notice to the Office of Planning and to all other interested persons.

(2) The Office of Planning shall forward the application to each appropriate State unit and unit of local government for review, evaluation, and comment regarding the significance of the proposal to State, area-wide, and local plans or programs.

(d) (1) The Commission shall hold a public hearing on the application for a certificate of public convenience and necessity in each county and municipal corporation in which any portion of the construction of a generating station or of an overhead transmission line designed to carry a voltage in excess of 69,000 volts is proposed to be located.

(2) The Commission shall hold the public hearing jointly with the governing body of the county or municipal corporation in which any portion of the construction of the generating station or overhead transmission line is proposed to be located, unless the governing body declines to participate in the hearing.

(3) Once in each of the 2 successive weeks immediately before the hearing date, the Commission shall provide weekly notice of the public hearing by advertisement in a newspaper of general circulation in the county or municipal corporation affected by the application.