

(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.

7-207.1.

(A) THIS SECTION APPLIES TO A PERSON WHO CONSTRUCTS A GENERATING STATION DESIGNED TO PROVIDE ON-SITE GENERATED ELECTRICITY IF:

(1) THE CAPACITY OF THE GENERATING STATION DOES NOT EXCEED 70 MEGAWATTS; AND

(2) THE ELECTRICITY THAT MAY BE EXPORTED FOR SALE FROM THE GENERATING STATION TO THE ELECTRIC SYSTEM IS SOLD ONLY ON THE WHOLESALE MARKET PURSUANT TO AN INTERCONNECTION, OPERATION, AND MAINTENANCE AGREEMENT WITH THE LOCAL ELECTRIC COMPANY.

(B) (1) THE COMMISSION SHALL REQUIRE A PERSON THAT IS EXEMPTED FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OBTAIN APPROVAL FROM THE COMMISSION UNDER THIS SECTION BEFORE THE PERSON MAY CONSTRUCT A GENERATING STATION DESCRIBED IN SUBSECTION (A) OF THIS SECTION.

(2) AN APPLICATION FOR APPROVAL UNDER THIS SECTION SHALL:

(I) BE MADE TO THE COMMISSION IN WRITING ON A FORM ADOPTED BY THE COMMISSION;

(II) BE VERIFIED BY OATH OR AFFIRMATION; AND

(III) CONTAIN INFORMATION THAT THE COMMISSION REQUIRES, INCLUDING:

1. PROOF OF COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF THE INDEPENDENT SYSTEM OPERATOR; AND

2. A COPY OF AN INTERCONNECTION, OPERATION, AND MAINTENANCE AGREEMENT BETWEEN THE GENERATING STATION AND THE LOCAL ELECTRIC COMPANY.

(C) WHEN REVIEWING AN APPLICATION FOR APPROVAL UNDER THIS SECTION, THE COMMISSION SHALL:

(1) ENSURE THE SAFETY AND RELIABILITY OF THE ELECTRIC SYSTEM;

(2) REQUIRE THE PERSON CONSTRUCTING THE GENERATING STATION TO NOTIFY THE COMMISSION 2 WEEKS BEFORE THE FIRST EXPORT OF ELECTRICITY FROM A GENERATING STATION APPROVED UNDER THIS SECTION; AND

(3) CONDUCT ITS REVIEW AND APPROVAL IN AN EXPEDITIOUS MANNER