

## **BILL ANALYSIS**

Senate Research Center  
81R5856 PMO-D

S.B. 1253  
By: Seliger  
Natural Resources  
3/21/2009  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 3, 80th Legislature, Regular Session, 2007, authorized the use of water district or water supply corporation right-of-way easements for certain electric transmission projects. This potentially allows private electric transmission companies to access land without following the normal procedures required of public transmission and distribution utilities. By allowing this use, private transmission companies are able to coordinate with water districts to bypass the certificate of public convenience and necessity (CCN) process established at the Public Utilities Commission. The CCN process is designed to guarantee public need, public participation, and proper regulatory oversight when land is authorized to be condemned.

As proposed, S.B. 1253 repeals Section 49.22055 (Use of Right-of-Way Easements for Certain Energy-Related Purposes), Water Code.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Section 49.2205 (Use of Right-of-Way Easements for Certain Energy-Related Purposes), Water Code.

SECTION 2. Effective date: September 1, 2009.