

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/14/13

HR 1031

By: Representative Hutchison

HOUSE RESOLUTION

ENCOURAGING THE UNITED STATES DEPARTMENT OF ENERGY TO REJECT THE PROPOSED PLAINS & EASTERN CLEAN LINE TRANSMISSION PROJECT; AND ENCOURAGING THE ARKANSAS PUBLIC SERVICE COMMISSION TO REJECT CLEAN LINE'S REQUEST FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A PUBLIC UTILITY IN THE STATE OF ARKANSAS.

Subtitle

ENCOURAGING THE REJECTION OF THE PLAINS & EASTERN CLEAN LINE TRANSMISSION PROJECT AND CLEAN LINE'S REQUEST TO OPERATE AS A PUBLIC UTILITY IN ARKANSAS.

WHEREAS, Clean Line Energy Partners, LLC, has submitted to the United States Department of Energy an application for its Plains & Eastern Clean Line transmission project to construct and operate a transmission line throughout various states, including Arkansas; and

WHEREAS, the project will not provide energy to the citizens of this state or benefit consumers of energy within this state; and

WHEREAS, in addition to the federal regulatory approval it seeks, Clean Line Energy Partners, LLC, requested a certificate of public convenience and necessity from the Arkansas Public Service Commission to enable Clean Line Energy Partners, LLC, to operate as a public utility in the State of Arkansas, and the Arkansas Public Service Commission denied the request in



Order No. 9 of Docket No. 10-041-U, finding that Clean Line Energy Partners, LLC, did not meet the statutory requirements to be a public utility in Arkansas; and

WHEREAS, the route of the proposed corridor for the transmission line would travel through the bottleneck of the Mississippi Flyway within the State of Arkansas, an important national staging area for water fowl migration; and

WHEREAS, The Mississippi Flyway includes parts of fourteen (14) states from Canada to the Gulf of Mexico, and the bottleneck area provides great economic benefit to the region and the State of Arkansas due to the favorable conditions it provides for water fowl and duck hunting; and

WHEREAS, the proposed transmission line would pass through numerous Arkansas counties, including Crawford, Franklin, Johnson, Pope, Conway, Van Buren, Faulkner, Cleburne, White, Jackson, Poinsett, and Mississippi, and *will potentially have detrimental impacts on the property of landowners in these areas; and*

WHEREAS, the United States Department of Energy should *not approve* the application of Clean Line Energy Partners, LLC, for its Plains & Eastern Clean Line transmission project *unless it identifies clear and substantial benefits to the State of Arkansas that exceed any detrimental impacts caused by the project,*

NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT the House of Representatives encourages the United States Department of Energy to *carefully consider* the application of Clean Line Energy Partners, LLC for its Plains & Eastern Clean Line transmission project and *urges the United States Department of Energy to not approve the application unless it identifies clear and substantial benefits to the State of Arkansas that exceed any detrimental impacts caused by the project.*

BE IT FURTHER RESOLVED THAT upon adoption of this resolution, the Chief Clerk of the House of Representatives shall transmit a copy to the United States Department of Energy, the Arkansas Public Service Commission, the Arkansas Congressional delegation, the Governor, and the President of the United States.

/s/Hutchison