## §3132-A. Construction of transmission or subtransmission projects prohibited without approval of the commission

A person may not construct any transmission project or subtransmission project without approval from the commission. For the purposes of this section, "transmission project" means any proposed new or upgraded transmission substation infrastructure that is capable of operating at 69 kilovolts or more. "Subtransmission project" means any proposed new or upgraded transmission line, substation component or associated infrastructure that is capable of operating at less than 69 kilovolts and projected to cost in excess of $5,000,000. [PL 2023, c. 355, §7 (AMD).]

**1. Submission requirement.** A person that proposes to undertake in the State a transmission project or subtransmission project must provide the commission with a description of the need for the proposed transmission project or subtransmission project.

A. [PL 2017, c. 201, §5 (RP).]

B. [PL 2017, c. 201, §5 (RP).]

[PL 2023, c. 355, §7 (AMD).]

**1-A. Nonwires alternatives investigation; consideration.** In considering whether to approve or disapprove all or portions of a proposed transmission project or subtransmission project pursuant to subsection 2, the commission shall, for a transmission project or subtransmission project proposed by an investor-owned transmission and distribution utility, consider the results and recommendations of an investigation by the nonwires alternative coordinator conducted in accordance with section 3132-C. [PL 2023, c. 355, §7 (AMD).]

**2. Commission approval of a proposed transmission project or subtransmission project; nonwires alternatives.** In order for a transmission project or subtransmission project to be approved, the commission must consider whether the identified need over the effective life of the proposed transmission project or subtransmission project can be reliably and more cost-effectively met using nonwires alternatives. In its review and consideration of nonwires alternatives, as required by subsection 1-A, the commission shall give preference to nonwires alternatives that have been identified as able to address the identified need for the proposed transmission project or subtransmission project most cost-effectively. When the cost-effectiveness of the identified nonwires alternatives are reasonably equal, the commission shall give preference to the alternatives that produce the lowest amount of local air emissions, including greenhouse gas emissions.
[PL 2023, c. 355, §7 (AMD).]

**3. Exception.** A transmission project or subtransmission project that is constructed, owned and operated by a generator of electricity solely for the purpose of electrically and physically interconnecting the generator to the transmission system of a transmission and distribution utility is not subject to this section.
[PL 2023, c. 355, §7 (AMD).]

SECTION HISTORY

PL 2013, c. 369, Pt. C, §8 (NEW). PL 2017, c. 201, §§5, 6 (AMD). PL 2019, c. 298, §12 (AMD). PL 2023, c. 355, §7 (AMD).

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