

House Resolution 1644

By: Representatives Holt of the 112<sup>th</sup>, Dudgeon of the 24<sup>th</sup>, and Baker of the 78<sup>th</sup>

### A RESOLUTION

1 Creating the House Study Committee on Subsidiary Corporation Condemnation for Electric  
2 Transmission Lines; and for other purposes.

3 WHEREAS, the current law concerning condemnation for the placement of electric  
4 transmission lines creates the public expectation that noncost related factors of land use and  
5 environmental concerns have real weight; and

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7 WHEREAS, Code Section 22-3-161 of the Official Code of Georgia Annotated requires that  
8 "the utility shall consider existing land uses in the geographic area where the line is to be  
9 located, existing corridors, existing environmental conditions in the area, engineering  
10 practices related to the construction and operation of the line, and costs related to the  
11 construction, operation, and maintenance of the line"; and

12 WHEREAS, while cost is one of five considerations the utility is supposed to consider, it  
13 appears that some utilities, in particular subsidiaries of electric membership corporations that  
14 do not have ongoing customer relationships with private citizens of this state, are considering  
15 costs to the exclusion of all other factors; and

16 WHEREAS, Georgia is one of only a handful of states that have no public oversight agency  
17 for electric transmission line placement; and

18 WHEREAS, subsidiary corporations of electric membership corporations appear in some  
19 cases to be exercising the governmental power of eminent domain in an arbitrary, unchecked  
20 fashion that is not keeping with public expectations and perhaps contrary to the interest of  
21 the public.

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that  
23 there is created the House Study Committee on Subsidiary Corporation Condemnation for  
24 Electric Transmission Lines to be composed of three members of the House of

25 Representatives appointed by the Speaker of the House of Representatives. The Speaker of  
26 the House of Representatives shall designate one of the appointees to serve as chairperson  
27 of the committee. The chairperson shall call all meetings of the committee.

28 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,  
29 needs, issues, and problems mentioned above or related thereto and recommend any actions  
30 or legislation which the committee deems necessary or appropriate. The committee may  
31 conduct such meetings at such places and at such times as it may deem necessary or  
32 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
33 accomplish the objectives and purposes of this resolution. The committee shall examine the  
34 use of condemnation by subsidiary corporations of electric membership corporations to  
35 construct or expand an electric transmission line, the factors to be considered by a subsidiary  
36 corporation in determining the practical and feasible route for the location of the electric  
37 transmission line, and whether there is a need for oversight or changes in the law. The  
38 members of the committee shall receive the allowances authorized for legislative members  
39 of interim legislative committees but shall receive the same for not more than three days  
40 unless an additional two days are authorized by the Speaker of the House of Representatives.  
41 The funds necessary to carry out the provisions of this resolution shall come from the funds  
42 appropriated to the House of Representatives. In the event that the committee makes a report  
43 of its findings and recommendations for proposed legislation, such report shall be made no  
44 later than December 15, 2012. The committee shall stand abolished on December 15, 2012.