

SENATE BILL NO. 747

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BERNSKOETTER.

4394S.02I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 393.170, RSMo, and to enact in lieu thereof one new section relating to electric utilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 393.170, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 393.170,
3 to read as follows:

393.170. 1. No gas corporation, electrical
2 corporation, water corporation or sewer corporation shall
3 begin construction of a gas plant, electric plant, water
4 system or sewer system, other than an energy generation unit
5 that has a capacity of one megawatt or less, without first
6 having obtained the permission and approval of the
7 commission. **An electrical corporation shall not begin
8 construction of any electrical transmission line capable of
9 transmission of electricity in excess of two hundred thirty
10 kilovolts, or any structure containing transmission lines
11 that are capable of transmitting electricity in excess of
12 two hundred thirty total kilovolts where the voltage of all
13 lines on such structure are added together, without first
14 having obtained specific statutory authorization from the
15 general assembly, and then having obtained the permission
16 and approval from the commission.**

17 2. No such corporation shall exercise any right or
18 privilege under any franchise hereafter granted, or under

19 any franchise heretofore granted but not heretofore actually
20 exercised, or the exercise of which shall have been
21 suspended for more than one year, without first having
22 obtained the permission and approval of the commission.
23 Before such certificate shall be issued a certified copy of
24 the charter of such corporation shall be filed in the office
25 of the commission, together with a verified statement of the
26 president and secretary of the corporation, showing that it
27 has received the required consent of the proper municipal
28 authorities.

29 3. The commission shall have the power to grant the
30 permission and approval herein specified whenever it shall
31 after due hearing determine that such construction or such
32 exercise of the right, privilege or franchise is necessary
33 or convenient for the public service. The commission may by
34 its order impose such condition or conditions as it may deem
35 reasonable and necessary. Unless exercised within a period
36 of two years from the grant thereof, authority conferred by
37 such certificate of convenience and necessity issued by the
38 commission shall be null and void.

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