

1 INTERIM RESOLUTION 2013-009

2
3 URGING THE UNITED STATES DEPARTMENT OF ENERGY TO REJECT THE
4 PROPOSED PLAINS & EASTERN CLEAN LINE TRANSMISSION PROJECT ROUTE
5 THAT PASSES THROUGH THE STATE OF ARKANSAS OR, ALTERNATIVELY, THAT
6 THE PROJECT ROUTE NOT BE APPROVED UNLESS ALL TRANSMISSION LINES
7 ARE REQUIRED TO BE LOCATED UNDERGROUND.
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9 WHEREAS, the joint meeting of the interim House Committee on State
10 Agencies and Governmental Affairs; the interim Senate Committee on State
11 Agencies and Governmental Affairs; the interim House Committee on
12 Agriculture, Forestry, and Economic Development; and the interim Senate
13 Committee on Agriculture, Forestry, and Economic Development on November 10,
14 2014, heard presentations from various interested parties concerning the
15 impact of the route proposed by the Plains & Eastern Clean Line transmission
16 project that passes through the State of Arkansas; and
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18 WHEREAS, Clean Line Energy Partners, LLC, has submitted to the United
19 States Department of Energy an application for its Plains & Eastern Clean
20 Line transmission project to construct and operate a transmission line
21 throughout various states, including Arkansas; and
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23 WHEREAS, the project will not provide energy to the citizens of this
24 state or benefit consumers of energy within this state; and
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26 WHEREAS, the route of the proposed corridor for the transmission line
27 would travel through the bottleneck of the Mississippi Flyway within the
28 State of Arkansas, an important national staging area for waterfowl
29 migration; and
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31 WHEREAS, the Mississippi Flyway includes parts of fourteen (14) states
32 from Canada to the Gulf of Mexico, and the bottleneck area provides great
33 economic benefit to the region and the State of Arkansas due to the favorable
34 conditions it provides for waterfowl and duck hunting; and
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1 WHEREAS, the proposed transmission line would pass through numerous
2 Arkansas counties, including Crawford, Franklin, Johnson, Pope, Conway, Van
3 Buren, Faulkner, Cleburne, White, Jackson, Poinsett, and Mississippi, and
4 will potentially have detrimental impacts on landowners and their property in
5 these areas; and
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7 WHEREAS, the United States Department of Energy should not approve the
8 application of Clean Line Energy Partners, LLC, for its Plains & Eastern
9 Clean Line transmission project unless it identifies clear and substantial
10 benefits to the State of Arkansas that exceed any detrimental impacts caused
11 by the project and requires the proposed transmission line that passes
12 through the State of Arkansas be located underground; and
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14 WHEREAS, in addition to the federal regulatory approval it seeks, Clean
15 Line Energy Partners, LLC, requested a certificate of public convenience and
16 necessity from the Arkansas Public Service Commission to enable Clean Line
17 Energy Partners, LLC, to operate as a public utility in the State of
18 Arkansas, and the commission denied the request in Order No. 9 of Docket No.
19 10-041-U, finding that Clean Line Energy Partners, LLC, did not meet the
20 statutory requirements to be a public utility in the State of Arkansas; and
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22 WHEREAS, the Arkansas Public Service Commission should not approve any
23 other request of Clean Line Energy Partners, LLC, for a certificate of public
24 convenience and necessity to enable Clean Line Energy Partners, LLC, to
25 operate as a public utility in the State of Arkansas for its Plains & Eastern
26 Clean Line transmission project unless the commission finds that Clean Line
27 Energy Partners, LLC, meets the statutory requirements to be a public utility
28 in the State of Arkansas and the commission requires that the proposed
29 transmission line that passes through the State of Arkansas be located
30 underground,
31

32 NOW THEREFORE,

33 BE IT RESOLVED BY THE INTERIM HOUSE COMMITTEE ON STATE AGENCIES AND
34 GOVERNMENTAL AFFAIRS; THE INTERIM SENATE COMMITTEE ON STATE AGENCIES AND
35 GOVERNMENTAL AFFAIRS; THE INTERIM HOUSE COMMITTEE ON AGRICULTURE, FORESTRY,
36 AND ECONOMIC DEVELOPMENT; AND THE INTERIM SENATE COMMITTEE ON AGRICULTURE,

1 FORESTRY, AND ECONOMIC DEVELOPMENT OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF
2 THE STATE OF ARKANSAS:

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4 THAT the interim House Committee on State Agencies and Governmental
5 Affairs; the interim Senate Committee on State Agencies and Governmental
6 Affairs; the interim House Committee on Agriculture, Forestry, and Economic
7 Development; and the interim Senate Committee on Agriculture, Forestry, and
8 Economic Development encourage the United States Department of Energy to
9 carefully consider the application of Clean Line Energy Partners, LLC, for
10 its Plains & Eastern Clean Line transmission project and urge the United
11 States Department of Energy to deny the application unless the United States
12 Department of Energy identifies clear and substantial benefits to the State
13 of Arkansas that exceed any detrimental impacts caused by the project and
14 requires that the proposed transmission line that passes through the State of
15 Arkansas be located underground if the application to install the
16 transmission line is approved.

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18 BE IT FURTHER RESOLVED THAT the interim House Committee on State
19 Agencies and Governmental Affairs; the interim Senate Committee on State
20 Agencies and Governmental Affairs; the interim House Committee on
21 Agriculture, Forestry, and Economic Development; and the interim Senate
22 Committee on Agriculture, Forestry, and Economic Development encourage the
23 Arkansas Public Service Commission to carefully consider any application of
24 Clean Line Energy Partners, LLC, for its Plains & Eastern Clean Line
25 transmission project to operate as a public utility in the State of Arkansas
26 and urge the commission to deny the application unless the commission finds
27 that Clean Line Energy Partners, LLC, meets the statutory requirements to be
28 a public utility in the State of Arkansas, identifies clear and substantial
29 benefits to the State of Arkansas that exceed any detrimental impacts caused
30 by the project, and requires the proposed transmission line that passes
31 through the State of Arkansas to be located underground if the application to
32 install the transmission line is approved.

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34 BE IT FURTHER RESOLVED THAT upon adoption of this resolution, the staff
35 of the Bureau of Legislative Research shall transmit a copy to the Secretary
36 of the United States Department of Energy; the Secretary of the United States

1 Department of the Interior; the Governors of the states of Alabama, Indiana,
2 Illinois, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi,
3 Missouri, Ohio, Tennessee, Wisconsin, Kansas, Oklahoma, and Texas; the
4 Arkansas Public Service Commission; the Mississippi Flyway Council; each
5 member of the Arkansas congressional delegation; the Governor and Governor-
6 elect; and the President of the United States.

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8 Respectfully submitted,

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11 Representative John K. Hutchison

12 District 52

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16 Representative Charlotte Vining Douglas

17 District 75

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19 By: ANS/ANS