

# Licensing Process for New Transmission Facilities

## **Texas Utilities Code**

The governance of the licensing process for new transmission facilities is included within the Texas Utilities Code, Title II – Public Utilities Regulatory Act, Section 37.056.

### Sec 37.056 GRANT OR DENIAL OF CERTIFICATE

- (a) The commission may approve applications and grant a certificate only if the commission finds that the certificate is necessary for the service, accommodation, convenience, or safety of the public.
- (b) The commission may:
  - (1) issue the certificate as requested;
  - (2) grant the certificate for the construction of a portion of the requested system, facility, or extension or the partial exercise of the requested right or privilege; or
  - (3) refuse to grant the certificate.
- (c) The commission shall grant each certificate on a nondiscriminatory basis after considering:
  - (1) the adequacy of existing service;
  - (2) the need for additional service;
  - (3) the effect of granting the certificate on the recipient of the certificate and on any electric utility serving the proximate area; and
  - (4) other factors, such as;
    - (A) community values;
    - (B) recreational and park areas;
    - (C) historical and aesthetic values;
    - (D) environmental integrity; and
    - (E) the probable improvement of service or lowering of cost to consumers in the area if the certificate is granted.
    - (F) the need for extending transmission service where existing or projected electrical loads will be underserved, including where:
      - (i) the existing transmission service is unreasonably remote;
      - (ii) the available capacity is unreasonably limited at transmission or distribution voltage level; or
      - (iii) the electrical load cannot be interconnected in a timely manner.

If you have additional questions or would like additional information, you may contact the Public Utility Commission of Texas at P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120, or (888) 782-8477. Hearing impaired and speech-impaired individuals with text telephones may contact the commission at (512) 936-7136.