



Nebraska Public Service Commission

HIGH VOLTAGE ELECTRIC TRANSMISSION LINES

Commission Jurisdiction

- ▶ Commission regulates a narrow area regarding construction, operation, maintenance of high voltage transmission lines

Neb. Rev. Stat. §75-702 – §75-724



Commission Jurisdiction

- ▶ Only applies:
 - ▶ Outside of limits of incorporated city or village
 - ▶ Within close proximity of other facilities (i.e., electrical, railroad, telecommunication, pipelines, irrigation)
 - ▶ Exceeds 700 volts
 - ▶ Does not infringe on any airports or airstrips



Application Matrix

Distance to existing electrical, communication, or railroad signal line	0 to 75 Feet	76 to 500 Feet	501 to 1320 Feet (0.25 Mile)	Greater Than 1320 Feet (0.25 Mile)
0 to 700 Volts	Commission authorization not required*	Commission authorization not required*	Commission authorization not required*	Commission authorization not required*
701 to 15,000 Volts	Commission authorization required	Commission authorization required if line length is greater than 660 feet	Commission authorization not required*	Commission authorization not required*
		Commission authorization is not required if line length is equal to or less than 660 feet*		
15,001 Volts or greater	Commission authorization required	Commission authorization required	Commission authorization required	Commission authorization not required*

NOTE: * - Commission authorization is required for any construction, alteration, or modification to any overhead wire or cable, the height of which is greater than five (5) feet above the elevation of any airport, landing field, or landing strip, which has been approved and licensed by the Department of Aeronautics, for each 500 feet of distance that such construction is, or will be, situated from the nearest boundary of such airport.

Commission Duties

- ▶ Commission tasked with ensuring construction meets the requirements of National Electrical Safety Code
- ▶ Other facility owners within $\frac{1}{4}$ mile receive notice and specifications of project
- ▶ Department of Aeronautics are notified regarding airfields in the vicinity
- ▶ Holding a hearing if any affected facility owner objects



Applications

- ▶ Must be on Commission approved forms
- ▶ Available at www.psc.Nebraska.gov
- ▶ Electric lines included in Natural Gas Department
- ▶ New forms available March 1



Applications

Exhibit A - Map

- ▶ Exhibit A maps must meet the following requirements and include:
 - An applicant project identification number or other identification insignia
 - Be drawn to a scale of not less than 1 inch per mile and display the scale used
 - Extend at least 0.25 miles beyond all proposed construction area



Exhibit A - Map

- ▶ Exhibit A maps must show:
 - All counties, townships, ranges, and sections through which the proposed transmission line(s) are to be constructed
 - All cities and villages within 0.25 miles of the proposed construction
 - All public roadways and railroad tracks within 0.25 miles of the proposed construction
 - The length, phase, number of wires and voltage of each piece of line proposed to be constructed or removed, drawn to scale



Exhibit A - Map

- ▶ Exhibit A maps must include:
 - All existing electrical, communication, or railroad signal lines within the respective distances from the project described earlier
 - Include the name and address of all the owners or operators of existing line(s) shown on the map and indicate with a key the owner/operator of each line displayed



Exhibit A - Map

- ▶ Exhibit A maps must also show:
 - All airports, landing fields, and landing strips, licensed by the Department of Aeronautics, along with the name and address of each owner/operator
 - Any additional information important to the project, including, but not limited to, pipelines, irrigation systems, electrical substations, and unregistered landing strips or fields



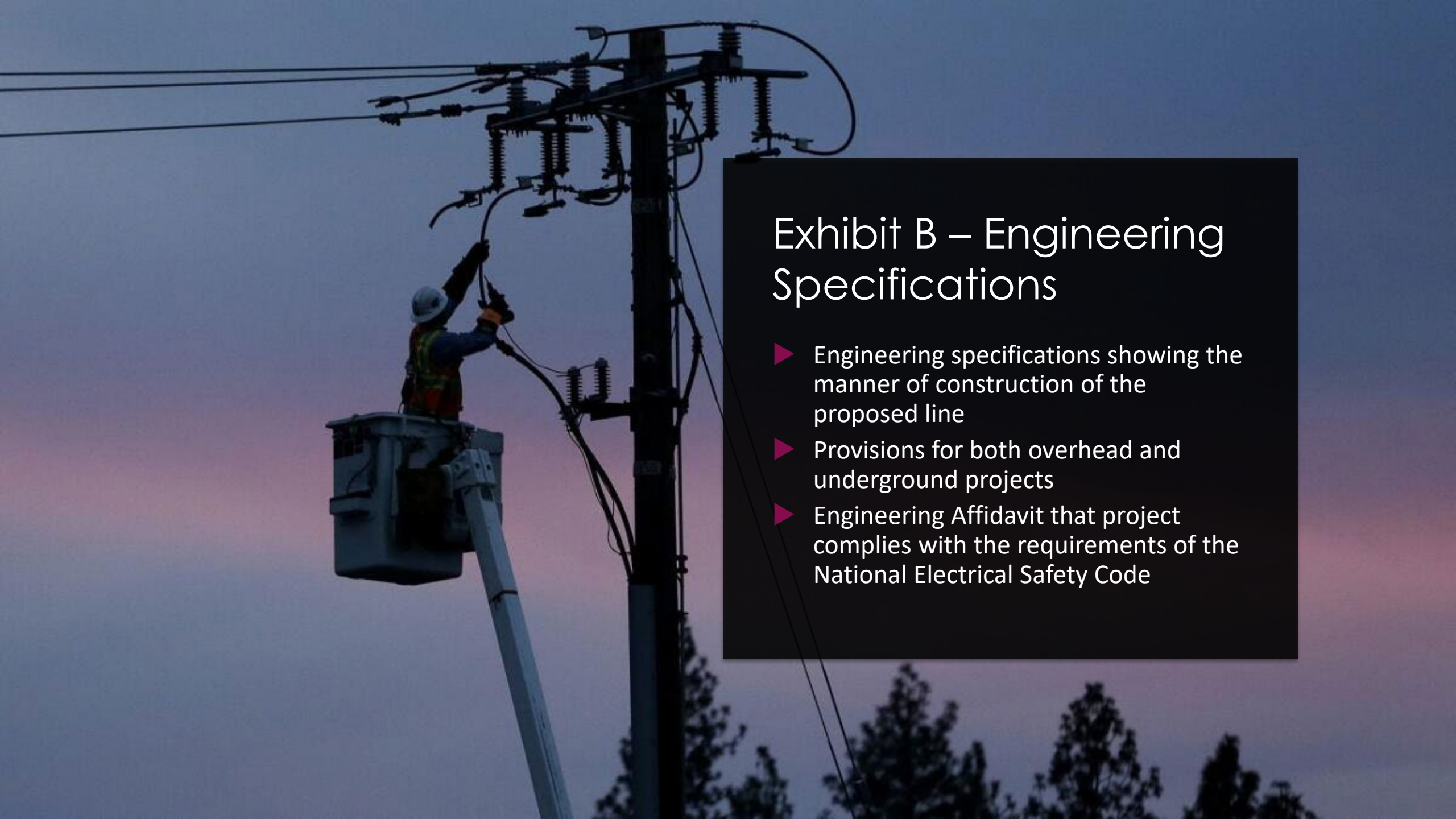


Exhibit B – Engineering Specifications

- ▶ Engineering specifications showing the manner of construction of the proposed line
- ▶ Provisions for both overhead and underground projects
- ▶ Engineering Affidavit that project complies with the requirements of the National Electrical Safety Code



Additional Application Items

- ▶ Must include all signed consent forms from any affected facility owner
- ▶ Application Affidavit to the veracity and completeness of Application
- ▶ Filing Fee

A utility worker wearing a hard hat and safety vest is positioned in a bucket, working on a tall utility pole. The pole is covered in various electrical components, including insulators and wires. The background shows a clear sky with a gradient from light blue to a soft pinkish-purple, suggesting dusk or dawn. The worker is focused on the task, reaching up towards the equipment on the pole.

Filing Applications

- ▶ File applications electronically to psc.naturalgas@nebraska.gov
- ▶ Maps must be readable electronically, without specialized software
- ▶ Sending hard copies are optional
- ▶ Use online portal to pay fees

Commission Procedure

- ▶ Commission will review application for completeness
- ▶ If all consent waivers have been received from all affected parties, the Commission proceeds modified procedure, no hearing
- ▶ Commission sends application details to Department of Aeronautics for review
- ▶ Aeronautics reviews for potential affected airstrips. If no concerns, responds with thumbs up to proceed



Commission Procedure

- ▶ Once all consents and approvals received, Commission enters an order approving the application
- ▶ Done at public Commission meeting
- ▶ Applicants have 2 years to complete project
- ▶ Can request additional time for good cause, Commission will enter an order regarding extension request
- ▶ Must file a completion notice with the Commission when project is done



Commission Procedure Consent/Waivers

- ▶ If you have not been able to get signed consent forms from all affected party(s) applicants may:
- ▶ Wait to file application and continue to negotiate
- ▶ Change to a 75-720 application
- ▶ File the application and request Commission to proceed immediately to hearing
- ▶ Commission will schedule a hearing on applications lacking consent from all parties and notify all affected facility owners of time/place



Commission Procedure Hearings

- ▶ Commission gives notice of hearing, usually minimum of 30 days before hearing
- ▶ Must follow Commission Rules of Procedure
 - Parties represented by Counsel
 - Evidence/testimony given
 - Official record created
 - Appeal rights
- ▶ Other facility owners have opportunity to express concerns with proposed construction with their facilities or NESCC
- ▶ Commission reviewing to see if project complies with NESCC



Commission Procedure

- ▶ If Commission has waivers and proceeds modified procedure, no hearing, takes 4 to 6 weeks from filing to order issued
- ▶ If hearing is necessary, take 3 to 5 months depending on schedules to get a final order from Commission
- ▶ Any party may appeal to NE Court of Appeals, 9 to 12 months



75-720 Process

- ▶ No application to PSC instead:
 - Utility sends Exhibit A map and Exhibit B engineering specs to all facility owners within described distances via certified mail
 - Sends copy of what sent to facility owners to Commission via certified mail as well, including certified mail return receipt information for each facility owner
 - Notifies all facility owners they have 60 days to object to project or will proceed
- ▶ If no objections received, utility may proceed with project after 60 days

75-720 Process

- ▶ Construction can begin before the 60 days have expired IF written waivers are received by all affected parties
- ▶ Copies of any waivers received must be filed with the Commission
- ▶ A carrier can convert from a 75-720 process to traditional application to receive Commission approval by filing an Application with the Commission
- ▶ If all required waivers have been received, Application will be processed modified procedure

75-720 Process Cautions

- ▶ The process does NOT result in an order approving the construction by the Commission
- ▶ A Commission order approving the construction is required to initiate condemnation procedures
- ▶ Any objection filed, even on the 59th day, immediately moves project to traditional application with hearing
- ▶ Must file hard copies via certified mail

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