

2.1 incumbent electric transmission owner to construct, own, and maintain any transmission
2.2 equipment or facilities that have a capacity of less than 100 kilovolts.

2.3 Subd. 3. **Commission procedure.** (a) If an electric transmission line has been
2.4 approved for construction in a federally registered planning authority transmission plan,
2.5 the incumbent electric transmission owner, or owners if there is more than one owner,
2.6 shall give notice to the commission, in writing, within 90 days of approval, regarding its
2.7 intent to construct, own, and maintain the electric transmission line. If an incumbent
2.8 electric transmission owner gives notice of intent to build the electric transmission line
2.9 then, unless exempt from the requirements of section 216B.243, within 18 months from
2.10 the date of the notice described in this paragraph or such longer time approved by the
2.11 commission, the incumbent electric transmission owner shall file an application for a
2.12 certificate of need under section 216B.243 or certification under section 216B.2425.

2.13 (b) If the incumbent electric transmission owner indicates that it does not intend to
2.14 build the transmission line, such notice shall fully explain the basis for that decision. If the
2.15 incumbent electric transmission owner, or owners, gives notice of intent not to build the
2.16 electric transmission line, then the commission may determine whether the incumbent
2.17 electric transmission owner or other entity will build the electric transmission line, taking
2.18 into consideration issues such as cost, efficiency, reliability, and other factors identified
2.19 in this chapter.