

Utah Transmission Siting Information

General Information

Washington has a decentralized siting process wherein local governments issue siting permits and the Utah Public Service Commission issues Certificate of Public Convenience and Necessity. Utah also has a Utility Facility Review Board that was created to resolve disputes between local governments and utilities over facility siting.

Siting Entities:

- Local governments
- Utah Public Service Commission
- Utah Department of Environmental Quality
- Utility Facility Review Board (limited review powers)

Authorization Needed:

In order for an entity to build a transmission line, it must obtain applicable permits from local governments as well as a CPCN from the PSC. In addition, entities must obtain applicable permits from the DEQ.

Preemption of local siting authority:

The Review Board may hear disputes over cost and some siting matters. The Board's power is limited and it is not the case that the Board can preempt a local siting decision, though it may require the local government to alter its conditions or requirements.

General Siting Process:

An entity that wishes to build a transmission line must follow the local government(s) siting regulation and procedures. The local government has 120 days to respond to the entity's application or the entity may request review by the Board. In addition, the entity must submit an application for a CPCN to the state PSC.

A local government or utility may seek review by the Board if:

- There is a dispute regarding cost or schedule;
- Allowance of reasonable time for local government to pay for extra cost;
- A local government has required construction of a facility in a manner that will not permit the utility to provide service to its customers in a safe, reliable, adequate, or efficient manner;
- A local government has prohibited construction of a facility which is needed to provide safe, reliable, adequate, and efficient service to the customers of the public utility;
- A local government has not made a final decision on the public utility's application for a permit, authorization, approval, exception, or waiver with respect to a facility within 120 days of the date the public utility applied to the local government;

- A facility is located or proposed to be located in more than one local government jurisdiction and the decisions of the local governments regarding the facility are inconsistent; **OR**
- A facility is proposed to be located within a local government jurisdiction to serve customers exclusively outside the jurisdiction of the local government and there is a dispute regarding the apportionment of the actual excess cost of the facility between the local government and the public utility. [UC 54-14-303](#).

Any party may apply for rehearing of any matters determined in the action or proceeding. “The applicant may not urge or rely on any ground not set forth in the application in an appeal to any court. Any application for rehearing not granted by the commission within 20 days is denied.