

2006 SESSION

SENATE SUBSTITUTE

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SENATE JOINT RESOLUTION NO. 73
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Rules
on February 10, 2006)

(Patrons Prior to Substitute—Senators Quayle and Locke [SJR 25])

Requesting the State Corporation Commission to study the feasibility and costs of requiring the underground placement of utility distribution lines in redevelopment areas. Report.

WHEREAS, cities and town seeking to rehabilitate and revitalize downtown areas have found that requiring the underground placement of utility distribution lines is a significant asset in improving the aesthetics of these areas; and

WHEREAS, the benefits, both to the utilities and to localities, that result from the private and public investments and commercial activities that are generated by the redevelopment and revitalization of blighted areas are potentially significant; and

WHEREAS, the designation of portions of cities and towns as Conservation Plan Areas, Redevelopment Plan Areas, Revitalization Initiatives Plan Areas, Rehabilitation Districts, or Historic Districts addresses urban blight by rehabilitating or replacing deteriorated structures and infrastructure; ensuring appropriate land use; improving traffic, public transportation, public utility, recreational, and community facilities; and facilitating other improvements; and

WHEREAS, previous studies, the most recent of which was conducted by the State Corporation Commission pursuant to House Joint Resolution 153 of the 2004 Session, have indicated that requiring utilities to place underground all currently existing overhead utility distribution lines and new distribution lines throughout the Commonwealth is probably not reasonable and that the economic effects of such an effort on state and local governments or utilities, and ultimately consumers, would be significant; and

WHEREAS, there has been no study of the feasibility and costs relative to requiring the placement of currently existing overhead utility distribution lines and any new distribution lines underground only in the portions of cities and towns that are undergoing redevelopment; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the State Corporation Commission be requested to study the feasibility and costs of requiring the underground placement of utility distribution lines in redevelopment areas.

In conducting its study, the State Corporation Commission shall:

1. Determine the costs and economic benefits likely to result from requiring, upon the request of the governing body, the placement of currently existing overhead utility distribution lines, including electricity, telephone, and cable lines, and any new distribution lines, underground within portions of cities and towns that have been designated as Conservation Plan Areas, Redevelopment Plan Areas, Revitalization Initiatives Plan Areas, Rehabilitation Districts, and Historic Districts;

2. Examine the experiences of localities that have placed utility lines underground and the effects on the economic development and revitalization of the surrounding areas;

3. Consider the feasibility of limiting the cost to utilities of placing distribution lines underground to a maximum annual linear footage allowance for each locality requesting replacement of overhead utility lines in the aforementioned redevelopment areas, and recommend appropriate limits on such annual linear footage; and

4. Determine the types of overhead utility lines that would best be placed underground in redevelopment areas.

All agencies of the Commonwealth shall provide assistance to the State Corporation Commission for this study, upon request.

The State Corporation Commission shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2007 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

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