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BILL NO.: **House Bill 109**
Public Service Commission – Certificate of Public Convenience and Necessity – Rapid Health Impact Assessment and Final Action

COMMITTEE: **Economic Matters**

HEARING DATE: **February 13, 2020**

SPONSORS: **Delegate R. Lewis, et al.**

POSITION: **Informational**

House Bill 109 requires an applicant for a Certificate of Public Convenience and Necessity (CPCN) to conduct a rapid health impact assessment (HIA) and submit a report of its findings as part of the Public Service Commission (Commission) review process. In effect, the bill would add this additional factor to consider during this regulatory process. The current Commission review process is a comprehensive one, and requires the agency to take numerous factors into account before approving or denying a CPCN application, including the reliability of the electric system the project will connect to, economics, aesthetics, historic sites, aviation safety, and air and water pollution. Recently, the legislature has included due consideration of the views of the recommendations of local government, where the project is to be located.

An HIA has been described as a procedure, method or tool to judge the potential health effects of a project on the health of a population. It can identify health impact information and bring recommendations to the forefront before a project is approved or built. Rapid HIAs are a short form version that can be completed in a relatively short time. This is reflected in the 45 day time period post-application for submission of the rapid HIA report.

The Fiscal Note indicates that state agencies involved in the CPCN process can review the report with existing resources, and there does not appear to be any significant budgetary or regulatory burden from inclusion of the Rapid HIA as a factor for consideration by the Commission. From OPC's experience, the required submission of the report should not result in any delay in a Commission proceeding to consider a CPCN application. The Rapid HIA also could provide useful information on potential health impacts to the local governing bodies, as they consider their recommendations to the Commission.¹

¹ The Office of People's Counsel provided the same informational testimony on House Bill 308 in 2019. The House Economic Matters Committee voted to amend that bill to strike the preamble, and the amended version passed the House. House Bill 109 is the same as the amended version of House Bill 308, passed by the House in 2019.