

BILL SUMMARY

1st Session of the 57th Legislature

Bill No.:	HB 2118
Version:	SAHB
Request Number:	NA
Author:	Rep. Ortega
Date:	5/1/2019
Impact:	Corp. Comm. PUD: \$0 anticipated. OK Aeronautics Commission: Will require an additional 0.5 FTE and will have a negative fiscal impact of \$50,000.

Research Analysis

HB 2118 clarifies certain restrictions on wind turbine construction. The Corporation Commission is authorized to seek enforcement of setback requirements through its administrative court system.

The existing restriction that a wind energy facility not encroach upon or adversely impact the mission, training or operations of a military installation is extended to individual wind turbines. Documentation that the Department of Defense's objections have been resolved would have to be submitted to the Corporation Commission and the Oklahoma Aeronautics Commission. The measure also authorizes the Oklahoma Aeronautics Commission to promulgate rules regarding siting near military installations and mitigation of potential related harm. The owner of a wind energy facility also would be required to submit to the Corporation Commission and the Aeronautics Commission copies of all FAA forms for individual wind turbines to be constructed.

Senate Amendments to HB 2118 requires all adverse impacts to the Department of Defense to be resolved, rather than only the Department's objections.

Prepared By: Sean Webster

Fiscal Analysis

The measure relates to setback requirements for wind energy facilities. The Oklahoma Corporation Commission, Public Utility Division (PUD), anticipates \$0 fiscal impact to the agency.

The Oklahoma Aeronautics Commission (OAC) expects that although the Oklahoma Corporation Commission (OCC) is the general administrator of the Wind Energy Development Act (WEDA), the measure will add and delete some duties to OAC regarding aviation safety and protecting navigable airspace that are in WEDA. Duties, including the collection of aviation safety paperwork, coordinating responses to OCC and the Oklahoma Strategic Military Planning Commission, and ensuring compliance with Federal Aviation Administration (FAA) and United States Department of Defense (DoD) airspace processes will require an additional 0.5 FTE for the agency, and the fiscal impact to OAC is estimated at \$50,000.

Prepared By: Jenny Mobley

Other Considerations

None.

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