

## 2018 Kansas Statutes

### **66-1,159. Same; permit required prior to site preparation or construction; application; hearing.**

No electric utility may begin site preparation for or construction of a nuclear generation facility or exercise the right of eminent domain to acquire any land in connection with site preparation for or construction of any such facility, without first acquiring a permit from the commission. Whenever any such electric utility desires to obtain such a permit, the utility shall file an application with the commission, setting forth therein that the utility proposes to construct a nuclear generation facility and specifying the description and the total number of acres of land that such utility contemplates is needed in connection with the construction, operation and maintenance of such facility. Also, the electric utility shall file with the application documents and plans which indicate the total planned utilization of a proposed location for electric generation purposes and documents and plans for utilization of an alternative location or locations. In addition, the electric utility shall file with the application such documents pertaining to the construction, operation and maintenance of the proposed facility and such other matters deemed relevant thereto as may be required by rules and regulations of the commission. Thereupon, the commission shall fix a time for a public hearing on such application, which shall be not less than 30 nor more than 180 days from the date the application was filed and shall be conducted in accordance with the provisions of the Kansas administrative procedure act, to determine the necessity for the proposed facility and the most reasonable location and size of the proposed facility. The commission shall fix the place for hearing, which may be in the county in which is located the major portion of the land which has been or is proposed to be acquired in connection with the construction, operation and maintenance of the proposed facility. Such hearing may be held in Topeka.

**History:** L. 1976, ch. 283, § 2; L. 1978, ch. 270, § 2; L. 1979, ch. 209, § 3; L. 1988, ch. 356, § 243; L. 2000, ch. 2, § 2; L. 2007, ch. 113, § 3; July 1.