

# HOUSE BILL No. 4065

January 27, 2015, Introduced by Rep. Franz and referred to the Committee on Energy Policy.

A bill to amend 1969 PA 165, entitled

"An act to authorize the public service commission to establish and enforce gas safety standards; and to provide penalties for violations thereof,"

by amending the title and section 10 (MCL 483.160), as amended by 1992 PA 11, and by adding section 10a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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TITLE

An act to authorize the public service commission to establish and enforce gas safety standards; **TO PROHIBIT THE SITING OF WIND TURBINES NEAR GAS PIPELINES;** and to provide penalties. ~~for violations thereof.~~

Sec. 10. (1) ~~This~~ **EXCEPT FOR SECTION 10A, THIS** act does not apply to a pipeline facility or the transportation of gas subject

1 to the jurisdiction of the federal energy regulatory commission  
2 under the natural gas act, ~~chapter 556, 52 Stat. 821, 15 U.S.C. 15~~  
3 **USC** 717 to 717w.

4 (2) This act applies to a person engaged in interstate  
5 commerce. ~~other than~~ **HOWEVER, EXCEPT FOR SECTION 10A, THIS ACT DOES**  
6 **NOT APPLY TO** a person subject to the jurisdiction of the federal  
7 energy regulatory commission.

8 **SEC. 10A. (1) A PERSON SHALL NOT CONSTRUCT A WIND TURBINE WITH**  
9 **A NAME PLATE CAPACITY OF MORE THAN 100 KILOWATTS AT A DISTANCE FROM**  
10 **A DISTRIBUTION LINE, GATHERING LINE, OR TRANSMISSION LINE THAT IS**  
11 **LESS THAN OR EQUAL TO 2 TIMES THE HEIGHT OF THE WIND TURBINE.**

12 (2) AS USED IN THIS SECTION:

13 (A) "DISTRIBUTION LINE" MEANS A PIPELINE OTHER THAN A  
14 GATHERING OR TRANSMISSION LINE.

15 (B) "GATHERING LINE" MEANS A PIPELINE THAT TRANSPORTS GAS FROM  
16 A CURRENT PRODUCTION FACILITY TO A TRANSMISSION LINE.

17 (C) "TRANSMISSION LINE" MEANS A PIPELINE, OTHER THAN A  
18 GATHERING LINE, THAT DOES ANY OF THE FOLLOWING:

19 (i) TRANSPORTS GAS FROM A GATHERING LINE OR STORAGE FACILITY TO  
20 A GAS DISTRIBUTION CENTER, STORAGE FACILITY, OR LARGE-VOLUME  
21 CUSTOMER THAT IS NOT DOWNSTREAM FROM A GAS DISTRIBUTION CENTER.

22 (ii) OPERATES AT A HOOP STRESS OF 20% OR MORE OF SPECIFIED  
23 MINIMUM YIELD STRENGTH.

24 (iii) TRANSPORTS GAS WITHIN A STORAGE FIELD.