



talk about transmission & landowner rights

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While most people recognize the need to strengthen the transmission system in Alberta, many landowners have questions about how and where the needed lines will be built. Landowners have rights when it comes to transmission projects. These rights remain in place and have not been impacted by any recent government legislation.

Landowners have the right to have their concerns heard, have impacts mitigated to the extent possible, and receive fair compensation in the siting of transmission facilities.

Through the *Electric Statutes Amendment Act, 2009*, formerly Bill 50 the need for four projects was approved based on expert recommendations and following consultation. Government has approved critical transmission infrastructure just as it does for other public goods, like roads, schools and hospitals. This legislation does not in any way impact the rights of landowners.

Under the Land-use Framework, the Alberta government will develop seven regional land-use plans in consultation with Albertans. The *Alberta Land Stewardship Act* (formerly Bill 36) gives the government the authority to create regional plans and identifies what a regional plan will include. The plans are developed based on input from regional advisory councils. While regional plans may include the general location of transmission corridors and major transportation corridors, the specifics will be dealt with under other legislation, such as the *Land Assembly Project Area Act* and the *Electric Statutes Amendment Act*.

The *Land Assembly Project Area Act* (formerly Bill 19) applies to large-scale, long-term transportation and water management projects, such as ring roads, reservoirs, or utility corridors. It ensures landowners are consulted, fairly compensated and that their concerns are dealt with in a reasonable time frame.

Compensation

The process to site transmission facilities involves the landowner and the transmission facility owner negotiating access to land and compensation. Landowners receive compensation from the companies who construct, own and operate transmission facilities for having transmission infrastructure located on their land. Offers for the land being crossed will be based on the fair market value of that land.

Compensation for transmission towers can be determined in one of two ways in Alberta. First, a landowner may negotiate directly with the transmission facility owner and arrive at a price that is mutually agreeable.

Second, if the landowner and the transmission facility owner cannot negotiate a price, they can ask the Surface Rights Board to set the price for them. The Surface Rights Board has a very effective dispute resolution process which resulted in the settling of 94 per cent of disputes addressed by the Board in 2009. However, if the dispute is not settled the Surface Rights Board may hold a hearing to determine fair compensation. The goal is to achieve fairness for landowners and consumers.

The costs for tower payments are ultimately paid by all electricity users in Alberta. Transmission facility owners are required to forecast what their total tower payments will be over a year and those forecasts must be approved by the Alberta Utilities Commission (AUC). If costs exceed the approved forecast the transmission facility owner must demonstrate to the AUC that those additional costs were reasonable and prudent.



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