

**278.212 Filing of plans for electrical interconnection with merchant electric generating facility -- Costs of upgrading existing grid.**

- (1) No utility shall begin the construction or installation of any property, equipment, or facility to establish an electrical interconnection with a merchant electric generating facility in excess of ten megawatts (10MW) until the plans and specifications for the electrical interconnection have been filed with the commission.
- (2) Notwithstanding any other provision of law, any costs or expenses associated with upgrading the existing electricity transmission grid, as a result of the additional load caused by a merchant electric generating facility, shall be borne solely by the person constructing the merchant electric generating facility and shall in no way be borne by the retail electric customers of the Commonwealth.

**Effective:** April 24, 2002

**History:** Created 2002 Ky. Acts ch. 365, sec. 11, effective April 24, 2002.