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MEDA represents over 230 members, who are actively involved in local economic activity, community development, job retention and job creation for Montana.

March 20, 2013

TO: Chairman Keith Regier and members of the House Federal Relations, Energy and Telecommunications Committee

RE: SB180 Revise Eminent Domain Laws

Montana Economic Developers Association (MEDA) stands in opposition of SB180 which would repeal the authority of a public utility to exercise the power of eminent domain.

As economic development professionals engaged in community development, job retention and job creation for Montana, we know that eminent domain authority is a critical legal tool. A public utility cannot meet its service obligations to customers without access to eminent domain. Without access routine power line extensions, transmission line up-grades and new construction would be nearly impossible because it is difficult to acquire easement for linear facilities without one or more parties trying to extract an exorbitant price for their share of the right-of-way.

Eminent domain is used as a last resort. It is intended for landowners to receive just compensation, and to allow an option of the courts intervening when an agreement cannot be reached. It is a necessary law that allows for the infrastructure needed to serve customers. Eminent domain keeps people at the bargaining table and prevents them from being able to extract an above market price for their property which is a cost that would be borne by ratepayers.

A strong utility system is critical for economic development of Montana as every factory, housing development, shopping center, warehouse, and transportation facility needs a reliable source of power. Thank you for your consideration in opposition of SB180.

For MEDA,

Tracy McIntyre, President

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