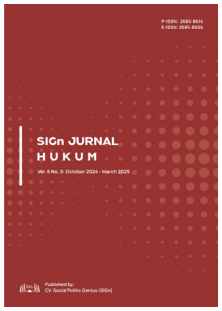

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Article Title

Legal Dynamics in the Permitting Process for Extra High Voltage Overhead Line Development in South Sumatra

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ABSTRACT

In order to meet the ever-increasing electricity demand in Indonesia, the development of EHV Overhead Lines has become crucial. This research examines the legal dynamics in the permitting process for EHV Overhead Line development in South Sumatra, which is identified as a major inhibiting factor for developing this infrastructure. This research uses a juridical-empirical approach with a case study in South Sumatra. Primary data were obtained through interviews with relevant stakeholders, while secondary data were collected by studying documents and regulations related to EHV Overhead Line permitting. The results show that regulatory complexity and community resistance shape the legal dynamics that hinder the permitting process. Regulatory complexity manifests in regulatory disharmony, overlapping authority among agencies, and complicated procedures. Community resistance arises due to land acquisition problems, infrastructure damage, concerns about health impacts, and a lack of transparency. These legal dynamics slow EHV Overhead Line development and hinder the optimization of energy resource potential in South Sumatra. Therefore, regulatory reform and improving permitting governance that focuses on simplification, harmonization, transparency, and public participation are urgently needed to support sustainable power infrastructure development.

Keywords: *Community Resistance; EHV Overhead Line; Legal Dynamics; Permitting; Regulatory Complexity.*

INTRODUCTION

The acceleration of national economic development is inextricably linked to the availability of adequate infrastructure, particularly in the power sector (Yanuar et al., 2025). The demand for electricity in Indonesia, especially in the Province of South Sumatra, has significantly increased year over year. It is reflected in the data from BPS South Sumatra (2024), which shows the growth in the number of electricity customers from 2,365,055 in 2021 to 2,484,605 in 2023. This surge in electricity consumption underscores the urgency of developing power infrastructure capable of meeting the needs of both the public and industry in South Sumatra.

One vital infrastructure in the power system that plays a strategic role in electricity transmission is the Extra-High Voltage Overhead Line (EHV Overhead Line). As the backbone of the transmission system, EHV Overhead Lines efficiently distribute electricity from power generation plants far from load centers to industrial areas and residential zones (Ansori, 2024). With their capacity to transmit large quantities of electricity over long distances, EHV Overhead Lines offer an effective solution to mitigate losses (power dissipation) that frequently occur in conventional transmission systems. Nevertheless, the development of EHV Overhead Lines in Indonesia, particularly in South Sumatra, continues to face several obstacles, with the complexity of the permitting process being one of the most significant challenges.

The EHV Overhead Line development permitting process in South Sumatra involves a complex and multi-sectoral regulatory framework. The primary legal basis governing this permitting is Law Number 30 of 2009 and Government Regulation

Number 14 of 2012. In addition, several Regional Regulations in South Sumatra provide more specific regulations regarding the permitting requirements for power infrastructure development, ranging from location permits and environmental permits to operating licenses. Coordination and harmonization among these regulations are crucial to ensure the efficiency and effectiveness of the permitting process.

The complexity of EHV Overhead Line permitting is also reflected in the number of agencies involved. Developers must coordinate with several institutions, starting with the Ministry of Energy and Mineral Resources, which holds authority in the power sector; the Ministry of Environment and Forestry (MoEF), which is responsible for environmental permitting, to the Local Government, which has authority related to spatial planning and local permitting. The involvement of numerous agencies, although intended to ensure compliance with safety, security, and environmental sustainability aspects, often leads to potential overlapping authority and regulatory disharmony (Maulidia et al., 2019).

At the implementation level, the legal dynamics in the EHV Overhead Line permitting process in South Sumatra often become a significant obstacle. Differences in legal interpretation among authorized agencies, disharmony between central and regional regulations, and the potential for conflicts of interest among policymakers contribute to legal uncertainty (Indahwati et al., 2025). This situation is in stark contrast with the abundance of primary energy resources in South Sumatra, which is formulated in the Decision of Minister of Energy and Mineral Resources Number 188.K/HK.02/MEM.L/2021, such as the hydroelectric potential of 3,102 MW, oil reserves of 1,091.9 MMSTB, natural gas of 13,585.9 BCF, coal of 50,226 million tons, geothermal of 918 MWe, and Coal Bed Methane (CBM) potential of 183 TCF, which should be a catalyst for EHV Overhead Line development. Ironically, it is hindered by permitting dynamics.

Real-world evidence shows that EHV Overhead Line developers in South Sumatra often face significant permitting obstacles. Land acquisition issues, which frequently intersect with the customary rights of indigenous communities and conservation interests, are among the most crucial issues (Ferdinanto et al., 2023). Resistance and opposition from local communities, as seen in the development project of the 500 kV EHV Overhead Line spanning from Muara Enim, New Aur Duri, Peranap, Perawang, Rantau Prapat, Kuala Tanjung to Galang, indicate that EHV Overhead Line development is not only a technical and juridical matter but also a complex social issue. Instead of supporting the optimization of the installed power plant capacity in South Sumatra, which increased from 2,286.43 MW in 2021 to 3,480.39 MW in 2023 (BPS, 2025), these obstacles are counterproductive to efforts to accelerate the development of transmission infrastructure.

Although previous studies have discussed obstacles in power infrastructure permitting (Paulin, 2021; Yuniza & Inggarwati, 2022; Junaedi et al., 2025), these studies remain general and have not explicitly examined the legal dynamics in the context of EHV Overhead Line permitting in South Sumatra. This research fills this gap by focusing on the legal dynamics in the EHV Overhead Line development permitting process in South Sumatra. This research thoroughly analyzes the inhibiting factors in permitting, both from regulatory and social aspects. Through identifying root problems and comprehensive analysis, this research aims to formulate concrete recommendations to improve the permitting system for EHV Overhead Line development in South Sumatra to be more effective, efficient, and equitable. The results of this research are expected to make significant contributions, theoretically and practically. Ultimately, this research is expected to contribute to the optimization of sustainable and environmentally conscious power infrastructure development in South Sumatra.

METHOD

This research employs a juridical-empirical approach and case study method to comprehensively examine the legal dynamics in the permitting process for EHV Overhead Line development in South Sumatra. The juridical-empirical approach is chosen to integrate the analysis of regulations and permitting practices in the field (Irwansyah, 2021), while the case study is focused on EHV Overhead Line development in South Sumatra to gain an in-depth and contextual understanding of the obstacles that occur. The type of research used is qualitative research, which aims to explore and understand the complexity of the EHV Overhead Line permitting phenomenon holistically, emphasizing the depth of meaning and data interpretation.

The research location is focused on South Sumatra, the location of the EHV Overhead Line infrastructure development under study. This location was selected because South Sumatra is one of the provinces in Indonesia with substantial potential for primary energy resources and is actively developing power infrastructure, including EHV Overhead Lines. Thus, the legal dynamics in this region's EHV Overhead Line permitting process are compelling to investigate and serve as a representative location.

In order to obtain comprehensive data, this research relies on primary and secondary data sources (Sampara & Husen, 2016). Primary data is gathered through in-depth interviews using semi-structured interview guidelines. These interviews involve key stakeholders directly related to the permitting process for EHV Overhead Line development in South Sumatra, such as developers, relevant government agencies at the provincial and regency/municipal levels, academics, and representatives of affected communities. Meanwhile, secondary data is collected through literature review and document analysis. The literature review systematically examines relevant

literature, such as books, scientific journals, and scholarly articles, focusing on power infrastructure permitting issues. The documentation technique is applied to collect and analyze regulations, policies, and permitting documents related to EHV Overhead Line development in South Sumatra, including applicable national and regional legislation.

The primary and secondary data are analyzed using content analysis and qualitative descriptive analysis techniques (Qamar & Rezah, 2020). Content analysis is used to systematically identify, categorize, and interpret the substance of the textual data, both from interview results and document studies. The researcher classifies and interprets the data through content analysis to find patterns, themes, and important meanings related to the legal dynamics of EHV Overhead Line permitting. Furthermore, qualitative descriptive analysis is applied to present the research findings in a narrative and contextual way. With this approach, the researcher can provide a comprehensive and in-depth picture of the complexity of the legal dynamics in the permitting process for EHV Overhead Line development in South Sumatra and the factors that influence it.

RESULTS AND DISCUSSION

A. Regulatory Complexities in the Permitting Process for EHV Overhead Line Development

Regulatory complexity is one of the determining factors influencing the legal dynamics in the permitting process for EHV Overhead Line development in South Sumatra. As a cornerstone of the electricity transmission system, EHV Overhead Line development faces a labyrinthine permitting process involving several agencies with authorities that sometimes overlap and are disharmonious. Instead of creating legal certainty and efficiency, this regulatory complexity becomes a significant obstacle to the acceleration of EHV Overhead Line infrastructure development, which hinders the optimization of the utilization of abundant primary energy resources in South Sumatra.

The primary legal basis governing the licensing of electricity supply businesses, including EHV Overhead Line development, is stipulated in Law Number 30 of 2009 and Government Regulation Number 14 of 2012. Law Number 30 of 2009 mandates that every entity engaged in the electricity supply business must obtain an Electricity Supply Business License (IUPTL). As an implementing regulation, Government Regulation Number 14 of 2012 further details the types of permits required, including the IUPTL, spatial utilization approval, environmental approval, site determination, and forest area utilization permits. In addition to

these primary regulations, EHV Overhead Line development in South Sumatra also intersects with other sectoral regulations, including Government Regulation Number 21 of 2021, Government Regulation Number 22 of 2021, Government Regulation Number 19 of 2021, MoEF Regulation Number 7 of 2021, and Provincial Regulation Number 11 of 2016. This multi-layered and multi-sectoral regulatory framework inevitably becomes the primary source of complexity when permitting EHV overhead lines.

One crucial source of complexity is the permitting related to spatial utilization, which is precisely regulated in Government Regulation Number 21 of 2021. In this context, EHV Overhead Line developers must obtain a Spatial Plan Conformity Confirmation (SPCC) issued by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (NLA). The SPCC permitting process itself involves several procedural stages, starting from a site survey by the PLN Regional Main Unit/Distribution Main Unit, the design and location coordination preparation by the PLN Headquarter, application submission through the Online Single Submission Risk-Based Approach (OSS-RBA) system, the issuance of technical land considerations by the local Regency/Municipal BPN Land Office, to the verification, recommendation, and issuance of the SPCC permit by the NLA. Although intended to ensure spatial conformity, this layered mechanism is susceptible to inefficiency and can potentially prolong the permitting process (Prasetyo et al., 2022).

The environmental aspect also presents its complexities in EHV Overhead Line permitting, particularly with the requirement to obtain Environmental Approval issued by the MoEF based on Government Regulation Number 22 of 2021. The Environmental Impact Assessment (EIA) study becomes the primary consideration in issuing Environmental Approval, where the EIA comprehensively analyzes the potential environmental impacts and establishes mitigation measures (Sebastian et al., 2025). In this case, the PLN Regional Main Unit/Distribution Main Unit must conduct an in-depth study of the EIA involving consultants and the Environmental Laboratory. The EIA study is then incorporated into the feasibility study, and the PLN headquarters prepares the basic design. Furthermore, the application for Environmental Approval is also submitted through the OSS-RBA, which requires coordination with the Ministry of Transportation to obtain Technical Approval for the Traffic Impact Analysis and with the Provincial Environment and Forestry Agency to examine and issue recommendations on environmental documents. The complexity of environmental permitting lies in the need for synchronization between the several agencies involved and the substance of the EIA, which must be able to identify, evaluate, and formulate mitigation measures for the environmental impacts caused by EHV Overhead Line development.

Furthermore, permitting related to Site Determination, regulated in Government Regulation Number 19 of 2021 and Provincial Regulation Number 11 of 2016, adds another layer of complexity to EHV Overhead Line development in South Sumatra. The local government, Provincial, and Regency/Municipal hold the authority to issue the Site Determination Permit after a series of stages involving public participation (Sugiasih, 2021). The PLN Regional Main Unit/Distribution Main Unit, in collaboration with consultants, is responsible for conducting site surveys, ground checks, land inventory, and addressing social issues, including communicating the project to NGOs, the Indonesian National Armed Forces, the State Police, the Attorney General's Office, and the mass media. This multi-stakeholder involvement, especially community engagement to obtain approval, is a determining factor in the smooth running of the permitting process. Meanwhile, the Local Government establishes a Preparatory Team tasked with verifying the Land Acquisition Planning Document, conducting outreach, and holding public consultations before issuing the Site Determination Permit. This process underscores the importance of social aspects and community acceptance in EHV Overhead Line permitting and legal-formal aspects (Rizaldy, 2023).

Moreover, developing EHV Overhead Lines that cross forest areas requires developers to obtain Forest Area Use Approval (PPKH) from the MoEF, as stipulated in MoEF Regulation Number 7 of 2021. In the PPKH permitting process, PLN Headquarters must coordinate with several parties, including lenders, design consultants, survey teams, the Watershed Management Agency, and the Forest Area Consolidation Center. This coordination is necessary to ensure compliance with PPKH requirements, such as conducting surveys, preparing designs, conducting stand inventories, and delineating forest area boundaries. In addition, PLN must also obtain technical considerations from the local Forestry Agency and a recommendation from the Governor before the MoEF issues the PPKH permit. After obtaining the permit, the implementing contractor must conduct the development in the approved PPKH area. Moreover, PLN must also enter a Cooperation Agreement with the Natural Resources Conservation Center to manifest its commitment to conserving biological natural resources and their ecosystems. This series of permits involving numerous stakeholders further emphasizes the regulatory complexity in EHV Overhead Line development (Ahsan, 2021).

The complexity of EHV Overhead Line permitting regulations in South Sumatra, as described above, indicates overlapping authorities and regulatory disharmony among agencies at the central level and between the central and regional governments. The legal dynamics that arise from this complexity manifest in the lengthy bureaucratic process, the long time required to obtain all

permits, and the legal uncertainty developers face. This situation is ironic given the enormous potential of primary energy resources in South Sumatra, which should be optimally utilized to support economic growth and improve community welfare. Therefore, concrete efforts are needed to simplify and harmonize EHV Overhead Line permitting regulations while still paying attention to environmental sustainability and social justice principles to create a conducive and predictable investment climate in the power sector, especially in South Sumatra.

B. Community Resistance in the Permitting Process for EHV Overhead Line Development in South Sumatra

The development of EHV Overhead Lines in South Sumatra faces regulatory complexities and community resistance, which is a tangible manifestation of the legal dynamics on the ground. This resistance stems from the intersection between EHV Overhead Line development and the interests of local communities, whether economic, socio-cultural, or environmental. The manifestation of this community opposition, which takes several forms, directly hinders the smooth running of the permitting process that developers must fulfill before construction can commence.

One of the epicenters of community resistance in the context of EHV Overhead Line permitting in South Sumatra is closely related to the issue of land release and land disputes. Sociologically, land for local communities, mainly rural areas, is not merely an economic commodity but has substantial socio-cultural dimensions connected to collective identity, kinship systems, and even local cosmology. Therefore, land acquisition for EHV Overhead Line development that ignores these non-economic dimensions can trigger prolonged conflicts (Sukmawan, 2018). The refusal to release land, either due to inadequate compensation or due to emotional and cultural ties to ancestral land, is a significant obstacle to the issuance of the Site Determination permit by the Local Government, which is one of the absolute prerequisites before EHV Overhead Line construction can begin.

Furthermore, community resistance is also triggered by damage to public infrastructure caused by EHV Overhead Line construction activities. Mobilizing heavy equipment and construction materials using village road access often results in significant road damage, disrupting community mobility and economic activities (Wisatrioda et al., 2025). This road damage indicates that the EIA, the basis for issuing the Environmental Approval, has not optimally assessed and formulated mitigation measures for the traffic impacts caused by the mobilization of EHV Overhead Line construction materials. From a permitting law perspective, this road damage contradicts the provisions in the Environmental Approval issued by the MoEF. Although procedurally, it has involved the Ministry of Transportation in terms of traffic impact analysis, the facts show that supervision and law

enforcement of contractor compliance in maintaining and restoring the condition of public infrastructure are still weak. It triggers dissatisfaction and protests from the community, who feel directly disadvantaged by the EHV Overhead Line development.

Another issue that sparks resistance is the disruption of the livelihoods of local communities that still depend on natural resources, especially in forest areas traversed by EHV Overhead Lines. For communities living around forests, natural resources are the main economic base for subsistence needs and as a source of additional income (Maharani et al., 2023). EHV Overhead Line development, which opens access and changes the landscape, is feared to threaten the sustainability of their livelihoods. In this context, the resistance that emerges is a form of opposition to changes in land use and loss of access to natural resources that have been their lifeline. Although regulations, in this case, MoEF Regulation Number 7 of 2021, have regulated mechanisms for community involvement in the PPKH permitting process, their implementation in the field is often not optimal in accommodating and protecting the interests of local communities that depend on forest resources.

Community concerns about the health impacts of EHV Overhead Lines also contribute to resistance. Although conclusive scientific evidence linking EHV Overhead Lines to health problems is still limited, community perceptions and concerns often reinforced by misinformation and misconceptions cannot be ignored. Psychologically, uncertainty and fear of the potential negative impacts of EHV Overhead Lines, such as electromagnetic radiation, trigger a Not in My Backyard (NIMBY) attitude among communities living near the transmission lines (Tolang et al., 2020). It shows that resistance is not always based on rational-objective considerations but also psychological factors and subjective risk perceptions.

Furthermore, the root cause of the several forms of community resistance can be traced to the deficit of communication and transparency in the EHV Overhead Line permitting process. The community often criticizes socialization carried out by developers for being one-way, lacking in substance, and not involving active community participation in decision-making (Pradana et al., 2022). From a permitting law perspective, this condition indicates that implementing the principle of public participation mandated in several regulations, including Law Number 32 of 2009, is not yet optimal. As a result, the community feels ignored, their aspirations unheard, and they have no control over development projects that directly impact their lives. This condition ultimately fosters distrust of developers and the government, which manifests in resistance to EHV Overhead Line development.

Community resistance in the permitting process for EHV Overhead Line development in South Sumatra is a complex phenomenon influenced by economic, socio-cultural, environmental, psychological, and procedural factors. The legal dynamics created by this resistance not only hinder the permitting process and slow down the development of power infrastructure but also have the potential to create horizontal conflicts in the community. Therefore, a more holistic and participatory approach is needed in the EHV Overhead Line permitting process, which not only focuses on fulfilling legal-formal aspects but also on efforts to build effective communication, bridge information gaps, and accommodate the interests of local communities in a just manner. It is crucial to realize sustainable power infrastructure development that contributes to improving the welfare of the people in South Sumatra.

CONCLUSIONS AND SUGGESTIONS

Based on the findings and discussion, it can be concluded that the legal dynamics in the permitting process for EHV Overhead Line development in South Sumatra have proven to be a significant inhibiting factor to the acceleration of power infrastructure development in the region. Regulatory complexity and community resistance are the two main aspects that shape and reinforce these legal dynamics. Regulatory complexity manifests through disharmony of laws and regulations, overlapping authority among agencies, and complicated and time-consuming permitting procedures. Instead of creating legal certainty and efficiency, the multi-layered and multi-sectoral regulatory framework creates uncertainty and inefficiency in the EHV Overhead Line permitting process.

This regulatory complexity, in turn, triggers community resistance to EHV Overhead Line development. The convoluted and less transparent permitting process, especially at stages that involve public participation, such as the Site Determination Permit, has led to community dissatisfaction and suspicion. The lack of comprehensive outreach and meaningful participation in EHV Overhead Line development decision-making further strengthens resistance. Consequently, communities that feel their interests are being ignored, whether economically, socio-culturally, or environmentally, tend to reject the project.

This community resistance manifests in several forms, ranging from refusing to release land, protests against damage to public infrastructure due to heavy equipment mobilization, and concerns about health impacts and loss of livelihoods. Land acquisition issues are one of the most crucial issues faced by developers, where communities with strong ties to their ancestral land refuse to release their land, regardless of the compensation scheme offered. Furthermore, road damage caused by EHV Overhead Line construction activities, which reflects the weak

implementation of the EIA, further exacerbates community resistance. In this context, community resistance cannot be seen as a single factor but rather as a result of the complex interaction between complicated regulations, suboptimal implementation, and a communication deficit between developers and the community. This condition ultimately creates an unfavorable investment climate for power infrastructure development in South Sumatra.

Based on the above conclusions, it is recommended that stakeholders, especially the Government, developers, and the community, take strategic steps to improve the legal dynamics in the permitting process for EHV Overhead Line development in South Sumatra. *First*, the Government needs to undertake regulatory reform that simplifies and harmonizes laws and regulations related to EHV Overhead Line permitting. This step can be realized by formulating more comprehensive and integrated regulations that minimize the potential for overlapping authority and disharmony among regulations at the central and regional levels. *Second*, the Provincial Government of South Sumatra needs to improve the effectiveness of coordination among agencies involved in the EHV Overhead Line permitting process. The establishment of an integrated team specifically handling EHV Overhead Line permitting, with apparent authority and a more straightforward bureaucratic flow, can be a solution to accelerate the permitting process and reduce legal uncertainty.

Third, developers need to increase transparency and the intensity of communication with the community from the early planning stages of EHV Overhead Line development. Comprehensive outreach regarding the benefits, impacts, and risk mitigation of EHV Overhead Line development must be carried out periodically and continuously, involving community leaders, religious leaders, and academics. On the other hand, optimizing EIA implementation needs to be a priority, not only limited to fulfilling administrative requirements but also ensuring that the EIA study is carried out comprehensively and participatively, accommodating input and concerns from the affected community. Then, in terms of land acquisition, developers need to prioritize the principles of fairness and transparency in the negotiation process with the community by ensuring that the compensation provided is based on market value and considers the socio-cultural aspects of the local community.

Finally, the community is encouraged to actively participate in every EHV Overhead Line development stage, permitting by constructively conveying aspirations and concerns through available channels. Active community participation, supported by information transparency from developers and the Government, will minimize the potential for conflict and build mutual trust among stakeholders. Collaboration and commitment from all parties are the primary keys to overcoming these complex legal dynamics and realizing effective, efficient, and sustainable EHV Overhead Line development in South Sumatra.

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