

As Amended by House Committee

Session of 2005

HOUSE BILL No. 2465

By Committee on Utilities

2-11

10 AN ACT concerning certain electric utilities; relating to recovery of  
11 transmission costs; amending K.S.A. 2004 Supp. 66-1237 and repealing  
12 the existing section.  
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2004 Supp. 66-1237 is hereby amended to read as  
16 follows: 66-1237. (a) Any electric utility subject to the regulation of the  
17 state corporation commission pursuant to K.S.A. 66-101, and amend-  
18 ments thereto, may seek to recover costs associated with transmission of  
19 electric power, in a manner consistent with the determination of trans-  
20 mission related costs from an order of a regulatory authority having legal  
21 jurisdiction, through a separate transmission delivery charge included in  
22 customers' bills. The electric utility's initial transmission delivery charge  
23 resulting from this section shall be determined by the commission from  
24 transmission-related costs approved in the electric utility's most recent  
25 retail rate filing. If an electric utility elects to recover its transmission-  
26 related costs through a transmission delivery charge, the commission  
27 shall, effective the same date as the effective date of the initial transmis-  
28 sion delivery charge, reduce the electric utility's retail rates to such a level  
29 that the sum of the revenue recovered from such retail rates and the  
30 initial transmission delivery charge is equal to the revenue recovered from  
31 the retail rates in effect immediately prior to the effective date of the  
32 initial transmission delivery charge. *The commission shall issue its order*  
33 *pursuant to this subsection not more than ~~90 days~~ **120 business days***  
34 *after the utility files its completed application pursuant to this subsection*  
35 **unless the application is part of a rate case or the utility and the**  
36 **commission agree to waive the time limit of 120 business days.**

37 (b) All transmission-related costs incurred by an electric utility and  
38 resulting from an order of a regulatory authority having legal jurisdiction  
39 over transmission matters shall be conclusively presumed prudent for  
40 purposes of the transmission delivery charge and an electric utility may  
41 change its transmission delivery charge whenever there is a change in  
42 transmission-related costs resulting from such an order. An electric utility  
43 shall submit a report to the commission at least 30 business days before

1 changing the utility's transmission delivery charge. If, *within 60 90 busi-*  
2 *ness days after such report is submitted*, the commission ~~subsequently~~  
3 determines that all or part of such charge did not result from an order  
4 described by this subsection, the commission may require changes in the  
5 transmission delivery charge and impose appropriate remedies. The retail  
6 rates in effect at the time an electric utility changes its transmission de-  
7 livery charge shall not be subject to review or change as a result of a  
8 change in the transmission delivery charge.

9     Sec. 2. K.S.A. 2004 Supp. 66-1237 is hereby repealed.

10    Sec. 3. This act shall take effect and be in force from and after its  
11 publication in the statute book.