

As Amended by House Committee

Session of 2005

HOUSE BILL No. 2530

By Committee on Appropriations

3-17

10 AN ACT concerning natural gas; relating to curtailment of service to
11 certain consumers; prescribing procedures related thereto; amending
12 K.S.A. 66-105a and repealing the existing section.
13

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

15 Section 1. K.S.A. 66-105a is hereby amended to read as follows: 66-
16 105a. (a) On and after July 1, 1997, the term “public utility” as used in
17 K.S.A. 66-104, and amendments thereto, and the term “common carriers”
18 as used in K.S.A. 66-105, and amendments thereto, shall not include any
19 gas gathering system, as defined in K.S.A. 55-150, and amendments
20 thereto.

21 (b) *Notwithstanding the provisions of subsection (a), for those persons*
22 *providing gas gathering services in such a manner that allows end use*
23 *customers to obtain natural gas ~~from~~ by direct connection to a gath-*
24 *ering system, the commission shall have authority, upon complaint or*
25 *petition or upon its own motion, to determine the reasonableness of, and*
26 *regulate and supervise, any curtailment or proposed curtailment of nat-*
27 *ural gas that results in the loss of service to the end use customer. How-*
28 *ever, the commission’s authority shall not extend to curtailments arising*
29 *from contractual disputes ~~between the owner or operator of the gathering~~*
30 *system and the end use customer.*

31 (c) *Any person providing gas gathering services in such a manner*
32 *that allows the offering of natural gas from a gas gathering system to an*
33 *end use customer shall give notice thereof to the commission and to each*
34 *affected end use customer and public utility of its intent to curtail service*
35 *that will result in the loss of natural gas service to the end use customer.*
36 *Except in the case of an emergency, notice shall be provided **at least 30***
37 *days prior to such curtailment **and the commission shall hold a hear-***
38 *ing and issue any orders relating thereto within 30 days after re-*
39 *ceipt of such notice. In the case of an emergency, notice shall be pro-*
40 *vided ~~not less than 24 hours before curtailment~~ **within 24 hours before***
41 *curtailment, except that service to a residential dwelling may be*
42 *curtailed immediately if the person seeking the curtailment in*
43 *good faith believes that an emergency exists. The person seeking*

1 **immediate curtailment of service to a residential dwelling, within**
2 **24 hours of the curtailment, shall report to the commission the**
3 **basis for and evidence supporting the good faith belief that im-**
4 **mediate curtailment was necessary. If the curtailment of service**
5 **to a residential dwelling was not based upon a good faith belief**
6 **and was unnecessary, as subsequently determined by the commis-**
7 **sion, the person requesting the curtailment shall be held respon-**
8 **sible for the cost of the service curtailment, including any recon-**
9 **nection costs and temporary heating costs.**

10 *(d) Nothing contained in subsections (b) and (c) shall be construed to*
11 *diminish any authority vested in the commission prior to the effective*
12 *date of this act.*

13 Sec. 2. K.S.A. 66-105a is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after its
15 publication in the Kansas register.