

HOUSE BILL No. 2012

By Committee on Energy and Utilities

1-13

9 AN ACT concerning the state corporation commission; establishing
10 deadlines for decisions of appeals from administrative orders; amend-
11 ing K.S.A. 66-101f and repealing the existing section.
12

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

14 Section 1. K.S.A. 66-101f is hereby amended to read as follows: 66-
15 101f. (a) If after investigation and hearing the rates or rules and regula-
16 tions of any electric public utility governed by this act are found unjust,
17 unreasonable, unfair, unjustly discriminatory or unduly preferential, or in
18 any way in violation of the provisions of this act, or of any of the laws of
19 the state of Kansas, the commission shall have the power to establish, and
20 order substituted therefor, such rates or rules and regulations as the com-
21 mission determines to be just, reasonable and necessary. If it is found
22 that any rule and regulation, practice or act, relating to any service per-
23 formed or to be performed by such electric public utility for the public
24 is in any respect unreasonable, unjust, unfair, unreasonably inefficient or
25 insufficient, unjustly discriminatory or unduly preferential, or otherwise
26 in violation of this act or of any of the laws of the state of Kansas, the
27 commission may substitute therefor such other rules and regulations,
28 practice, service or act as the commission determines to be just, reason-
29 able and necessary. For the purposes of determining just and reasonable
30 rates, the commission may adopt a policy of disallowing a percentage, not
31 to exceed 50%, of utility dues, donations and contributions to charitable,
32 civic and social organizations and entities, in addition to disallowing spe-
33 cific dues, donations and contributions which are found unreasonable or
34 inappropriate.

35 (b) All orders and decisions of the commission whereby any rates,
36 rules and regulations, practice or acts relating to any service performed
37 or to be performed by any electric public utility for the public are altered,
38 changed, modified or established shall be reduced to writing, and a copy
39 thereof, duly certified, shall be served on the electric public utility af-
40 fected thereby. Such order and decision shall become operative and ef-
41 fective within 30 days after such service. Such electric public utility, unless
42 an action is commenced in a court of proper jurisdiction to set aside the
43 findings, orders and decisions of the commission, or to review and correct

1 the same, shall carry the provisions of such order into effect.
2 *(c) If any findings, orders or decisions of the commission, as described*
3 *in subsection (b), are appealed in accordance with subsection (a) of K.S.A.*
4 *60-2101, and amendments thereto, the court of appeals shall make a de-*
5 *cision concerning the appeal within 90 days after the appeal is docketed.*
6 Sec. 2. K.S.A. 66-101f is hereby repealed.
7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the Kansas register.