

HOUSE BILL No. 2419

By Committee on Energy and Utilities

1-12

9 AN ACT concerning energy; relating to renewable energy generation
10 units and energy storage devices.

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

13 Section 1. As used in this section:

14 (a) (1) “Energy storage device” means any device or equipment for
15 the storage of electrical energy generated from a renewable energy re-
16 source for at least three hours and which is at least one kilowatt in size.

17 (2) “Public utility” means any public utility defined in K.S.A. 66-104,
18 and amendments thereto, and includes any municipally owned or oper-
19 ated utility and any cooperative, as defined by K.S.A. 17-4603, and
20 amendments thereto, and any nonstock member-owned electric coop-
21 erative corporation.

22 (3) “Renewable energy generation unit” means a unit utilizing energy
23 technology that generates electricity or thermal energy from renewable
24 energy resources.

25 (4) “Renewable energy resources” means any renewable energy re-
26 source defined in K.S.A. 2009 Supp. 66-1257, and amendments thereto.

27 (b) (1) A public utility may enter into a contract with any person who
28 is a customer of such utility for the installation, maintenance and own-
29 ership of a renewable energy generation unit or an energy storage device,
30 or both, located on the property owned by the customer.

31 (2) If a utility and customer contract for such unit or device, the
32 contract shall provide for:

33 (A) Installation of a renewable energy generation unit or an energy
34 storage device, or both;

35 (B) maintenance and monitoring of the unit or device, or both,
36 installed;

37 (C) ownership of the unit or device, or both, by the public utility;

38 (D) a plan to remove the unit or device, or both, at the end of the
39 productive life of each unit or device; and

40 (E) payment of compensation to the customer’s account in monetary
41 form or by free or reduced rates or service.

42 (c) In the event ownership of the property upon which the unit or
43 device are installed changes, authorization of the contract and payments

1 remain with the property and not with the customer. The utility shall
2 establish a new contract in such case.

3 (d) If a public utility enters into contracts with customers as permit-
4 ted in this section, the utility shall install at least 10% of the utility's total
5 units and devices on the property of customers with low income. For the
6 purposes of this section, "customer with low income" shall mean a house-
7 hold with a gross household income less than or equal to 150% of the
8 federal poverty guidelines published in the most recent calendar year by
9 the United States department of health and human services.

10 (e) Public utilities may capitalize the reasonable costs incurred in the
11 installation of any unit or device, including but not limited to costs of
12 equipment, financing and earnings on investment.

13 Sec. 2. This act shall take effect and be in force from and after its
14 publication in the statute book.