Approved:	
**	Date 1/23/91

#### MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairperson Don Myers at 9:00 a.m. on January 16, 1997 in Room 522-S of the Capitol.

All members were present.

Committee staff present: Lynne Holt, Legislative Research Department

Mary Ann Torrence, Revisor of Statutes Mary Shaw, Committee Secretary

Conferees appearing before the committee: Tim Mc Kee, Chairman, Kansas Corporation Commission

Judith Mc Connell, Executive Director, KCC

Karen Matson, Chief of the Telecommunications Section, KCC

Larry Holloway, Chief of Electric Operations, KCC Glenda Cafer, Director of the Utilities Division, KCC

David Heinemann, General Counsel, KCC

Others attending: See attached list

Chairperson Myers announced that the Committee will hear a background briefing by the Kansas Corporation Commission and welcomed Tim Mc Kee, Chairman, who then introduced his staff.

Tim Mc Kee, Chairman of the Kansas Corporation Commission, stated that the Kansas Corporation Commission's purpose before the Committee was to give an overview of the Commission. He felt two issues that the legislature might see before them this session are the restructuring and deregulation of the electric industry and issues regarding the natural gas gathering business.

Judith McConnell, Executive Director of the Kansas Corporation Commission, spoke on the responsibilities and functions of the Kansas Corporation Commission and how they are structured and organized to carry out those responsibilities. Basically their regulatory responsibilities include electric, gas, telephone and common carriers, with limited responsibilities in the transportation arena largely with regulating the trucking industry and railroads. Also the Commission exercises regulatory responsibility with respect to oil and gas production in Kansas.

Karen Matson, Chief of Telecommunications for the Kansas Corporation Commission, mentioned that their staff is a part of the Utilities Division, the section of the Commission that houses the technical experts. Their primary duties are to advise the Commissioners and interface with the public on all matters dealing with Telecommunications. She also spoke about the Executive Summary Phase II Competition Order (Attachment #1).

Larry Holloway, Chief of Electric Operations for the Kansas Corporation Commission, spoke on the electric industry in Kansas, national efforts to restructure the industry and on-going efforts in Kansas to change how electric utilities are operated. The transmission and distribution systems, and the majority of the generating plants, are currently owned by public or investor-owned utilities. He mentioned the transmission systems are regulated, for the most part, at the federal level by the Federal Energy Regulatory Commission (FERC), while the distribution and generation systems are regulated at the state or local level. He discussed the general concepts of Retail Wheeling and how such a system would work. He mentioned several different terms that mean the same thing, for example, direct access, customer access and customer choice. He gave a broad description of Retail Wheeling as the retail wheeling customer would or could select their own power provider. The local distribution company and the transmission company would still charge a regulated fee for the use of their system, meters and wires and the customer would simply pay the generator to provide his electric energy. The energy generator or electricity provider would not be price regulated and would compete with other providers for the same retail customers. (Attachment #2)

#### CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES, Room 522-S Statehouse, at 9:00 a.m. on January 16, 1997.

Glenda Cafer, Director of the Utilities Division of the Kansas Corporation Commission, reviewed a couple of the cases that came up during the past year. She mentioned the Utilities Division Staff does research on the petitions that are filed with the Commission, and if they have developed a recommendation to their Commissioners as to how to handle that petition, then the Commissioners review their recommendation along with petitions of other parties involved in the case and the Commissioners make a decision. That is the Commission decision of the Commission order.

David Heinemann, General Counsel for the Kansas Corporation Commission, described the importance of the Commission's action with FERC (Federal Energy Regulatory Commission) especially Order Number 888 issued by FERC (Federal Energy Regulatory Commission) that deals with how the State of Kansas would be involved in regulatory mode. He mentioned that the Commission itself is a party in any FERC (Federal Energy Regulatory Commission) proceedings.

Tim McKee, Chairman of the Kansas Corporation Commission, spoke on the concept of natural gas gathering. He said FERC (Federal Energy Regulatory Commission) undertook actions called Orders 436 and 636 for the purpose of deregulating the natural gas business and that brings to Kansas the task of regulating the gas gathering done in Kansas gas fields. FERC (Federal Energy Regulatory Commission) acting under the Natural Gas Act Cannot regulate gathering in Kansas and in the Natural Gas Act, in Section one, it says all production and gathering is left to the states.

The Chair thanked the Kansas Corporation Commission and mentioned that they will appear again on Friday, January 24, 1997, to answer Committee questions. The Chair also mentioned that the Committee will be meeting in the Old Supreme Courtroom Wednesday, Thursday and Friday of next week.

The meeting adjourned at 10:00 a.m.

The next meeting is scheduled for January 22, 1997.

# HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: <u>January</u> 16, 1997

NAME	DEDDECEMEING
	REPRESENTING
JOE DICK	KCK BPU
George Banbee	Barbee o associ
LEE EISENHAUER	PMAK
Rob Holges	Ks Telecom Assa
DEFT ROSSELL	SPRINT
Doug Will	Western Resources
Rick Tangeman	Western Resources
BRUCE GRAHAM	1CEPC6
Brady Cantrell	WRB
Hon & Miles	
Tabrick Husberg	HCOL
John D. linegar	SIYA
Tim Whee	KCC
Julia Melomell	) ~ CC
Glenda Cater	KCC
CARL KREHBIEL	MOUNDRID GETELEPHONE CO
Helsemann	KCC
Lang Helloway	kec
John Nino	KCC

# HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: <u>January 16, 1997</u>

NAME	REPRESENTING
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Marin	SWBT

# THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of a General	)	
Investigation Into Competition within	)	Docket No. 190,492-U
the Telecommunications Industry in	)	94-GIMT-478-GIT
the State of Kansas.	)	

#### **EXECUTIVE SUMMARY OF THE PHASE II COMPETITION ORDER**

#### I. KANSAS UNIVERSAL SERVICE FUND

#### A. <u>ACCESS RATE REDUCTION</u>

Rates for intrastate switched access and the imputed access portion of toll, shall be reduced over a three-year period for Southwestern Bell Telephone Company (SWBT) and Sprint/United Telephone Company of Kansas (Sprint) with the objective of equalizing interstate and intrastate rates in a revenue neutral, specific and predictable manner. The independent local exchange companies (ILECs) will reduce their intrastate access rates to the interstate rate level on March 1, 1997. The Commission plans to revisit the access parity issue after the FCC access guidelines are issued, no later than September 1998.

#### B. REVENUE REDUCTION RECOVERY FROM KUSF

The initial amount of the KUSF shall be comprised of Local Exchange Carrier (LEC) revenues lost as a result of rate rebalancing pursuant to the State Act. Revenues shall be recovered on a revenue neutral basis. As part of the access rate reduction, the ILECs should reduce their Billing and Collection rates to \$.05 per message as determined by the Commission in its April 4, 1996 Order.

The State Act is specific in requiring the calculations of volumes and revenues be made on the twelve (12) months ending September 30, 1996.

House Utilities 1-16-97 Attachment 1

#### C. <u>KUSF ASSESSMENT ON ALL</u>

The Order requires each telecommunications carrier, telecommunications public utility and wireless telecommunications service provider that provides intrastate telecommunications services to contribute to the KUSF on an equitable and non-discriminatory basis. (HB 2728 § 9(b)).

The KUSF shall be funded by an equal assessment on all intrastate retail revenues. An assessment on revenues assures that every telecommunications carrier, telecommunications public utility and wireless telecommunications service provider that provides intrastate telecommunications services will contribute on an equitable and non-discriminatory basis in accordance with the State Act.

Since the Commission is adopting an equal assessment on all retail revenue amounts, no rebalancing to local rates will occur beyond the impact of the KUSF assessment and the ILEC transition to the statewide average local rate. (HB 2728 § 6(c)).

The size of the fund shall be determined in the same manner as the estimated \$111.6 million and shall be phased in over three years. LEC payments and distributions may be offset so as to avoid unnecessary fund transfers.

#### D. HOW LECs RECOVER THE ASSESSMENT

The portion of the assessment attributed to the LECs' local service which may be recovered on a flat per line basis will approximate \$3.21 per month for SWBT customers over three years, and slightly less than \$3.00 per month for United customers over three years. These amounts per line are after the adoption of increases in miscellaneous charges such as directory assistance and pay phones. The rates for pay phone calls shall be \$.35 and the free call allowances for directory assistance shall be eliminated. These rates shall go into effect March 1, 1997.

#### E. THREE YEAR TRANSITION

The estimated \$3.21 per month rate increase for SWBT customers are allocated as follows: a) \$2.00 per month for the first year, b) \$1.00 per month for the second year, and c) the remainder for the third year. Sprint will implement the pass through of its KUSF assessment on a similar per line basis, determined by dividing its assessment amount (less coin and directory assistance) by its number of lines.

#### F. REVIEW PROCEDURES FOR KUSF ADMINISTRATION

The Commission has awarded the initial contract (January 1997 to June 1998) to the National Exchange Carriers Association, Inc. (NECA). There will be an annual audit of the fund administrator. The Commission directs Staff to conduct periodic audits of intrastate telecommunications providers to verify that intrastate revenues are being reported accurately for assessment purposes.

#### G. WHO RECEIVES SUPPORT AND ON WHAT BASIS

Support should be distributed to achieve revenue neutrality pursuant to the State Act. (HB 2728 § 9(c)). Those companies that provide service in high cost rural areas shall receive support. Rural areas shall be defined as exchanges with 10,000 or fewer access lines. The support shall be paid at a rate of up to \$36.88 per residential loop. This amount is not currently covered by federal high cost support programs. (ie: Universal Service Funds, etc.)

#### H. <u>SUPPLEMENTAL FUNDING</u>

The Commission must act on requests for supplemental KUSF funding within 120 days if the request is based on the criteria in Section 9(e) of the State Act. The Commission is not bound by the 120 day requirement if the request is based on the criteria in Section 9(f). Eligible new entrants providing local service are also

permitted supplemental funding under the State Act § 9(f) on a per line served basis which can be filed monthly with the KUSF administrator.

#### I. <u>LIFELINE SERVICE PROGRAM</u>

The Commission adopts a Kansas Lifeline Service Program (KLSP) plan in which all local service providers (existent LECs and new LECs or ALECS) will participate. The Lifeline discount of up to \$3.50 per month will be recovered from the KUSF and will be phased-in in conjunction with the line assessment. Funding of the Lifeline program will be collected by the KUSF administrator as part of the KUSF assessment. Six low income assistance programs will be used as the qualifying criteria. The Commission directs Staff to investigate the feasibility of applying a minimum income criterion plan.

#### J. KANSAS RELAY SERVICES INC. (KRSI)

To ensure the competitive neutrality of future funding of Kansas Relay Center (KRC) operations under the State Act, the Commission changes the assessment base for relay services to become an assessment on the retail revenues of all present and future intrastate telecommunications services providers in Kansas. These funds shall be collected by the KUSF administrator as part of the KUSF assessment and paid out to Kansas Relay Services, Inc. (KRSI) for the ongoing operational support of both KRSI and the KRC.

The KUSF administrator will keep separate accounting records for the various funds. Distribution of funds shall be made in the following priority: KRSI, Telecommunications Access Program (TAP), Lifeline, and Universal Service.

#### II. FORM OF REGULATION/SELECTION OF REGULATORY PLAN

Section 6 of the State Act requires that "each local exchange carrier shall file a regulatory reform plan at the same time as it files the network infrastructure plan." As part of the regulatory plan, LECs may elect traditional rate of return regulation or

price cap regulation. Infrastructure plans must demonstrate a LEC's ability to comply on an ongoing basis with quality of service standards the Commission will adopt no later than January 1, 1997. If the Commission finds, after a hearing, that a carrier subject to price cap regulation violated minimum quality of service standards, the Commission may require the carrier to resume rate of return regulation. (HB 2728 § 6(a)(b)).

#### A. PRICE CAP BASKETS

#### (1) <u>Basket One</u>

Basket One shall contain rates for basic telecommunications services which will remain unchanged until the year 2000, except for rate changes authorized by the Commission. (HB 2728 § 6(g)). In the event a competitor enters a local market and the existing range of prices is constrictive to the incumbent provider for the purpose of meeting competitor pricing, the LEC may petition the Commission for additional price flexibility within that exchange without the necessity of maintaining averaged rates for all similarly situated exchanges. Determinations will be made on a case-by-case basis.

An exception to the Basket One price cap for single line residence and single line business shall be the reclassification of an exchange from one rate group to another based upon growth or decline in the number of telephone access lines.

#### (2) Basket Two

Price cap adjustments are not applicable to switched access services. Prices are subject to reduction to match interstate rate levels. (HB 2728 §§ 6(c) and 6(e))

#### (3) Basket Three

Basket Three contains rates for multi-line business and for services which are optional or more competitive in nature. The price cap will be adjusted annually after December 31, 1997. (HB 2728 § 6(I)). All Basket Three services shall be subject to a broader, less regulatory treatment when competition enters a local market and

the existing prices are constrictive to the incumbent provider for the purpose of meeting a competitor's prices.

Section 6(p) of the State Act grants the Commission discretion to price deregulate within an exchange area, or on a statewide basis, any individual service or service category upon a finding that there is a telecommunications carrier or an alternative provider providing a comparable product or service, considering both function and price, in that exchange area.

Within the Competitive Sub-Basket, the LEC will have additional pricing flexibility within the competitive exchange without the necessity of maintaining averaged rates for all other customers within that same exchange. When the Commission determines that services and/or an exchange are so competitive that the market can determine prices that are not too high without the need for price limits or other regulatory safeguards, then the prices will be deregulated.

#### B. PRICE CAP FACTORS

The price index for Baskets One and Three will be recalculated annually. The formula uses three factors: Inflation less Productivity (plus or minus) Exogenous Adjustments.

The Gross Domestic Product Price Index - Chain Weighted (GDPPI-CW) shall be the basic inflation index for Baskets One and Three. The Commission found no compelling justification for the use of different inflation factors for Basket One and Three.

A 3 percent total factor productivity (TFP) is appropriate on a total company basis for Baskets One and Three (Basket One will begin adjustment in 2001). A finding in the upper end of the range as supported in the record is warranted based on testimony concerning the input price differential. The Commission considered the infrastructure requirements set forth in Section 6(a) of the Kansas Act for the deployment of universal service capabilities by July 1, 1998, and enhanced universal service capabilities by July 1, 2001, when establishing the TFP near the mid-range of

those proposed by the parties. The higher TFP rates were deemed inappropriate and prohibitive given the required investment in infrastructure. The 3 percent TFP factor for Baskets One and Three is well within the range of the productivity factors presented in the record, and balances public policy goals of encouraging efficiency and promoting investment in a quality, advanced telecommunications network in the state of Kansas.

The Commission will consider applications for exogenous adjustments on a case-by-case basis. Such requests should be infrequent and reserved for large dollar items. The Commission will take into consideration the general definition of exogenous in this record which is an event that is outside of the company's control and has a disproportionate effect on the industry so that its effect is not reflected by the price index.

#### C. COMPETITIVELY FLEXIBLE PRICING

The Competitively Flexible Pricing plan combines proposals of staff, as well as other comments and suggestions for change, revision or replacement. The Competitive Sub-Basket provides greater flexibility to the LEC while simultaneously providing protection against cross-subsidization of competitive service losses or price reductions. This plan allows effective responses by competing firms within the telecommunications industry without disturbing the balance between consumer interests and competing providers. In determining this formula, the Commission has balanced the public policy goals of encouraging efficiency and promoting investment in a quality, advanced telecommunications network in the state of Kansas.

#### D. <u>NEW SERVICES</u>

Any new service should be reviewed to determine its placement based on the merits and the competitive aspects of the service. Repackaged services should undergo the same scrutiny as new services to determine where they belong within

the Competitively Flexible Pricing structure. The burden of proof as to whether a bundle of services previously offered separately or in any other combination constitutes a new service offering shall rest upon the LEC's ability to demonstrate the uniqueness of the new bundle/package. A "new service" is one which is introduced subsequent to the establishment of a company's price cap plan. Each application/petition filed by the LEC for placement of new or repackaged services will be considered on a case-by-case-basis and the Commission will determine after an appropriate proceeding the proper treatment of that new or repackaged service within the Competitively Flexible Pricing structure.

#### E. <u>IMPUTATION</u>

Requiring imputation on an individual service basis is consistent with the provisions of the State Act. Individual pricing plan imputation is preferred because it precludes a new service from being offered at retail rates which are below cost and established retail price based on LRIC costs plus imputed access price. Further, imputation on a service by service basis is necessary to prevent price squeezes.

The total service approach allows one or more services to be priced below cost while the toll service category remains above cost. When imputation is distributed over all toll services instead of by specific service element, the potential to price anti-competitively is increased. The Commission's directive is for the continued application of the "stand alone" imputation methodology to protect potential competitors from inappropriate, below cost pricing.

The Commission will continue to consider applications on a case-by-case basis.

#### F. BYPASS

The use of a bypass adjustment is appropriate for any particular service being examined.

#### G. RATE OF RETURN REGULATION

Section 6(b) of the State Act states that a local exchange carrier may elect traditional rate of return regulation or price cap regulation. Therefore, the Commission's policy with regard to rate of return will for the present remain unchanged. Companies retain the right to request rate increases while the Commission retains the right to investigate the rates of any company.

#### III. <u>MISCELLANEOUS ISSUES</u>

#### A. <u>RURAL ENTRY GUIDELINES</u>

In accordance with Section 5(c) of the State Act concerning rural entry guidelines the Commission specifies that any telecommunications carrier seeking to provide services in a rural telephone company area must be designated by the Commission as an "eligible telecommunications carrier" as defined in Section 214(e)(1) of the Federal Act. The standards should be applied on a case-by-case basis and each applicant must meet the requirements of K.S.A. 66-131.

#### B. CUSTOMER INFORMATION

A Commission approved notice shall be published in the "call guide" pages of each directory produced by every telecommunications provider and/or affiliate. LECs must make directory advertising available to Alternative Local Exchange Companies(ALECs) on a comparable and non-discriminatory basis.

### C. <u>INTERIM ACCESS PLAN</u>

In the Commission's January 22, 1996 Order in Docket No. 190,383–U, regarding the Interim Access Plan the Commission anticipated making an access rate reduction on March 1, 1997. The State Act provides for revenue neutrality utilizing the same twelve (12) month period ending September 30, 1996, as specified for the Interim Access Plan. Consequently, the Commission vacated its Interim Access Plan with regard to the access rate adjustment.

## KCC Electric Briefing

as presented by Larry Holloway, Chief of Electric Operations

The North American electric system is highly integrated, consisting of electric generating plants interconnected by a high voltage transmission grid to the thousands of lower voltage distribution systems serving millions of retail customers. The transmission and distribution systems and the majority of the generating plants are currently owned by public or investor owned utilities. The transmission system is regulated, for the most part, at the federal level by the Federal Energy Regulatory Commission (FERC), while the distribution and generation systems are regulated at the state or local level. The revenue required to build, maintain and operate this system is included in the utility's retail rates, and for the most part the utility is guaranteed a return on its investment and return of its investment.

While there are numerous deregulation schemes being discussed across the country, almost all have some basic principles in common. Most experts agree that it is not efficient to build duplicate transmission and distribution systems and that this portion of the industry will remain a regulated natural monopoly. However, since the late 1970's an increasing number of generating plants have been built, maintained and operated by nonutility entities that produce and sell their electricity in wholesale competition with both utility and nonutility generators. Generation of electricity is recognized by the proponents of deregulation as the segment of the industry that should be deregulated and subjected to the discipline of the marketplace. While generation is just one segment of the electric industry, on average it accounts for more than 60% of the customers utility bill.

Retail electric service is provided to Kansans by rural electric cooperatives (e.g. Kaw Valley Electric Cooperative), municipal utilities (e.g. Mcpherson Board of Public Utilities) or investor owned utilities (e.g. Western Resources). In approximate numbers, Rural electric cooperatives serve 12%, municipal electric utilities serve 18% and investor owned utilities serve 70% of the residential customers in the state of Kansas. These electric utilities vary from small distribution utilities, that purchase transmission service and generated electricity from other utilities, to large fully integrated utilities that have their own distribution, transmission and generation facilities. In addition many of the smaller distribution utilities have long term purchase power contracts that create financial obligations comparable to the actual ownership of generation facilities. As an example, Pioneer Electric Cooperative, a primarily retail distributor of electricity, has a long term contract to purchase electricity from Sunflower Electric Cooperative, a wholesale generation and transmission utility.

Industries seeking to locate new factories or expand existing facilities are increasingly interested in the ability to have a choice in their energy suppliers. According to 1994 statistics, average Kansas electric rates were slightly lower than national average rates (6.61¢ per kWH compared to 6.91¢ per kWH nationally) and slightly higher than the adjacent 4 states. However, within Kansas electric rates vary widely, for example the lowest residential rate is ~ 4¢ per kWH and the highest is ~ 14¢ per kWH. In many cases the difference in rates from one utility to another is due to the cost of owning an expensive electric generating plant or long term power purchase contract. Industries, businesses, and residential customers are not unaware of this difference. Many large

House Utilities 1-16-97 Attachment 2 Kansas industrial customers have successfully negotiated more favorable rates with their utilities by either threatening to leave or to self generate. Self generation as an option is not practical to the smaller industrial, commercial and residential customers. The development of a deregulated electric generation market should allow all customers to participate in competitive pricing of electricity at the wholesale and, depending on the form of deregulation, the retail level.

The FERC, through its jurisdiction over the transmission grid, has implemented and proposed a variety of measures to promote wholesale competition. Last session, several bills were introduced in Congress that would have required states to implement retail competition for electric generation. While these bills expired when the session ended, it is expected that bills will be introduced this year that could affect the electric industry structure nationwide. At a minimum, it is expected that Rep DeLay of Texas and Rep Schaefer of Colorado will reintroduce bills from last session that mandate retail access. Additionally, the Department of Energy and the National Association of Regulatory Utility Commissioners are also expected to introduce legislative proposals in early 1997. While there will be a lot of activity on the Federal level, most of these initiatives are expected to leave a lot of the details of implementation up to the states.

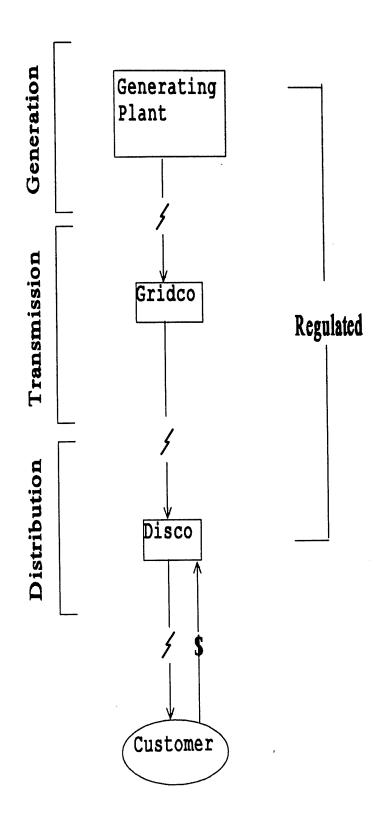
On the state level, Rhode Island, Pennsylvania and California have already adopted legislation allowing retail wheeling while many other states are considering it. In Kansas deregulation of the electric industry is currently being discussed through the legislative retail wheeling task force, chaired by Rep. Holmes, and internally at the state corporation commission.

Now, I would like to take just a few minutes to discuss the general concepts of retail wheeling and how such a system would work. First, you will probably hear a lot of different terms to describe the same thing. The terms "direct access", "customer access", and "customer choice", are all used interchangeable with retail wheeling, and before the year is over, clever marketing and public relations proponents will undoubtable add a few other terms to the list. Secondly, while I can provide you with a broad description of the concept of retail wheeling, even states that have decided to implement retail wheeling have not worked out all of the details. However, as a simple description of how it would work, in the retail wheeling environment, the retail wheeling customer would or could select their own power provider. The local distribution company and the transmission company would still charge a regulated fee for the use of their system, meters and wires, the customer would simply pay a different entity to generate, or provide his electric energy. The entity selling or generating electricity would not be price regulated and would compete with other providers for the same retail customers. Obviously this is a very broad description of this industry structure. Answering questions such as "who provides electricity if the customer does nothing" or "will customers in rural areas really have a choice" or even "how do we prevent fly by night electric providers and maintain reliability" are some of the details yet to be worked out.

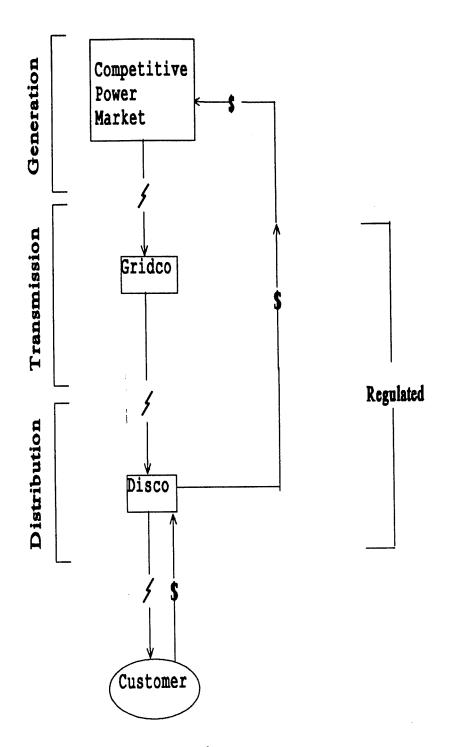
It is also important that everyone involved in the debate should be aware that deregulation of the electric industry could create winners and losers. Just as deregulation of the airline industry created lower average ticket prices at major airports, it also caused many rural communities to lose airline service or to pay higher rates. While deregulation of the electric industry may be

initiated by federal action, most of the implementation will probably be left up to the states. How deregulation is implemented will have a direct affect on the cost and reliability of electricity to Kansas homes and businesses, as well as economic development in the state.

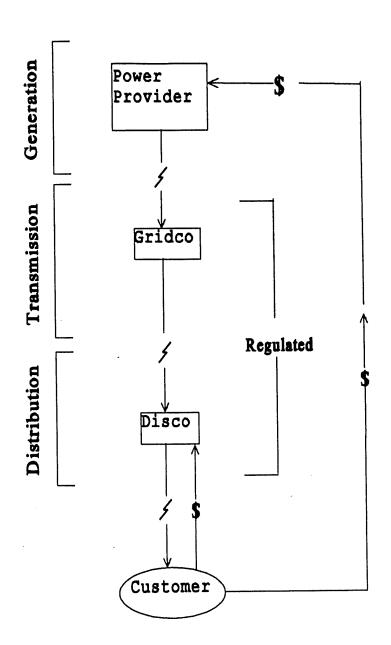
Certainly, a number of Kansas customers may benefit from competitive electric generation markets. However, while restructuring is expected to achieve lower rates over time, Kansans that currently purchase electricity at prices below the national average could experience higher rates in the short term. Retail electric rates for residential and small commercial customers may increase as electric generators direct their marketing efforts to larger volume customers. Electric suppliers as electric generators direct their energy to customers of small electric distribution companies, may be less willing to market their energy to customers of small electric distribution companies, such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric cooperatives and municipal systems, limiting the competitive choices of such as the rural electric distribution competitive choices of such as the rural electric distribution competitive choices of such as the rural electric distribution competitive choices of such as the rural electric distribution competitive choices of such as the rural electric distribution competitive choices of such as the rural electric distribution competitive choices of such as the rural electric distribution competitive choices of small electric distribution comp



Current Industry



Pooling Framework
(Wholesale Competition)



Retail Wheeling

Utility	Туре	oe Number of Customers			Sales	Ave. Res Rate
		Res.	Com & Ind	Others	kwhr	cents/kwhr
Alfalfa (KS customers only)	coop	329	471		11,959,271	6.3
Ark Valley	coop	3,825	458	188	68,260, <i>4</i> 73	11.0
Brown-Atchison	coop	2,653	162	17	30 <i>,</i> 461 <i>,</i> 532	8.7
Butler Rural	соор	4,924	505		71,578,110	10.1
C&W Rural	coop	2,544	197	74	34,711,960	8.9
Caney Valley	coop	3,546	1,624	147	46,625,504	10.8
Doniphan	соор	1,381	75	1	13,862,881	7.5
DS&O	соор	5,711	663		77,985,000	8.2
Flint Hills Rural	coop	4,087	406	1,254	60,865,297	9.7
Jewell-Mitchell	coop	4,157	314	203	40,196,143	9.9
Kaw Valley	coop	5,641	241	173	90,575,505	8.7
Lane-Scott	coop	1,624	668	163	58,293,916	9.7
Leavenworth-Jefferson	coop	10گ5	418	95	57,116,678	10.4
Lyon-Coffey	coop	4,759	1,523		70,595,397	9.7
Midwest Energy Inc.	coop	23,211	9,247	1,671	828,729,944	7.5
NCK	coop	2,516	134	327	24,648,319	10.1
Nemaha Marshall	coop	2,920	224	7	39,609,835	7.3
Ninnescah	coop	2,374	525	29	46,078,661	9.9
Northwest	coop	1,166	207	605	30,103,689	11.6
Norton-Decatur	coop	4,677	839	390	94,938,763	11.0
Pioneer	coop	4 <i>4</i> 83	6,521		193,373 <i>,</i> 473	10.4
PR&W	coop	2,703	182	100	27,948,105	11.8
Radiant	coop	2,550	864	21	38,753,236	9.4
Sedgwick County	coop	3,302	405	242	55,802,000	9.2
Sekan	coop	3,810	384	1	46,512 <i>,</i> 412	9.5
Smoky Hill	coop	2,281	509	46	36,685,262	9.9
Sumner-Cowley	coop	3,541	427	19	54,072,925	10.5
The CMS	coop	1,862	967	1,491	73,733,791	9.9
Twin Valley	coop	2,013	170	12	20,632, <i>A</i> 77	11.6
United	coop	4,623	782	35	51,252,135	10.0
Victory	coop	2,293	342	884	90,399,548	9.0

Utility	Туре	Numbe	er of Customers		Sales	Ave. Res Rate cents/kwhr
		Res.	Com & Ind	Others	kwhr	
Western	coop	1 707	1.500			
Wheatland	coop	1,787	1,583	977	113,809,482	9.
KEPCO	G&T	8,944	4,343	874	543,128,375	11.
Sunflower	G&T			25	1,390,946,000	
Empire District Electric Co.	IOU	9.455	10/0	45	2,155,283,000	
Kansas City Power and Light		8,455	1,269	149	188,129,000	6.
Kansas Gas and Electric Co.	IOU	152,489	20,036	64	3,978,628,000	7.
Kansas Power and Light Co.	IOU	243,922	27,694		7,867,868,000	9.
SouthWestern Public Service		280,489	41,754		8,018,990,000	6.
WestPlains Energy *	IOU	1,040	396	3	24,984,000	7.
Alma		51,192	14,194	236	1,549,104,000	7.
Altamont	muni	359	114	4	7,000,000	7.
Anthony	muni	1,080	163		7,304,000	6.
Arcadia	muni	1,342	259	396	22,212,080	6.
Arma	muni	194	14		1,189,000	
Ashland	muni	780	23		7,897,840	9.8
Attica	muni	529	161		9,110,139	8.0
Augusta	muni muni	354	100	8	5,863,000	7.5
Axtell	muni muni	3,400	620		55,652,941	5.9
Baldwin	muni	219	32		1,973,000	8.2
Belleville	muni	1,149			15,325,495	8.5
Beloit	muni	1,238	161	82	19,764,000	8.2
Blue Mound	muni	1,400	310		34,315,000	6.8
Pronson	muni	170			1,353,000	9.2
Burlingame	muni	163	22		1,598,000	8.5
urlington	muni	530	86		6,519,993	8.0
\.	muni muni	1,242	257		23,425,000	7.4
S	muni muni	351	64	19	3,341,995	8.2
	muni muni	229	38		2,915,000	10.9
No.	muni	4,598	908		130,100,200	7.3
	muni	571	46	7	5 <i>A</i> 26,000	9.9
легора	muni	668	62		9,346,000	3.9

Muni and coop data from 1991 and 1992 per 1994 Electric World Directory of Electric Utilities. IOU and GT data from 1994 reports.

Utility	Туре	Numbe	r of Customers		Sales	Ave. Res Rate
		Res.	Com & Ind	Others	kwhr	cents/kwhr
Cimarron	muni	722	151	3	11,159,617	8.5
Clay Center	muni	2,038	493	229	36,413,581	7.4
Coffeyville	muni	7,020	988		156,816,800	7.3
Colby	muni	2,225	510		41,035,000	6.5
De Soto	muni	910			10,620,000	7.4
Dighton	muni	688	121		8,309,000	11.5
Ellinwoood	muni	1,091	161		13,603,000	7.9
Elwood	muni	403	31		3,322,000	13.0
Enterprise	muni	316	39		3,745,000	8.8
Erie	muni	539	144	4	8, <i>4</i> 74,000	6.5
Eudora	muni	1,410	71		20 <i>,</i> 441,354	8.0
Fredonia	muni	1,419	306		21,382,000	10.0
Galva	muni	290	48		3,222,000	8.4
Garden City	muni	8,360	1,219		140,520,740	8.2
Gardner	muni	1,371	197	19	29,389,000	8.0
Garnett	muni	1,517	298		20,630,000	8.0
Girard	muni	1,358	216	,	22,561,256	9.0
Glasco	muni	355	40		3,412,359	8.0
Glen Elder	muni	310	53		3,626,000	8.1
Goodland	muni	2,264	628		40,545,730	4.7
Greensburg	muni	854	144	24	12,001,000	8.3
Haven	muni	530	62		8,797,000	10.9
Herington	muni	1,322	211	2	17 <i>,</i> 497,250	7.5
Herndon	muni	136			908,198	9.2
Hill City	muni	837	237		13,023,900	10.0
Hillsboro	muni	1,101	216		14,602,000	9.1
Hoisington	muni	1,613		25	17,891,000	7.5
Holton	muni	1,709			31,989,200	7.1
Holyrood	muni	292	21		2,736,000	8.8
Horton	muni	857	105		10,881,062	8.5
Hugoton	muni	1 <i>,4</i> 70	359		21,193,796	8.8

Utility	Туре	Number of Customers			Sales	Ave. Res Rate
		Res.	Com & Ind	Others	kwhr	cents/kwhr
lola	muni	3,210	744		76,355,347	5.4
Isabel	muni	80	1		735,000	8.8
luka	muni	100	20		1,489,499	7.0
Jetmore	muni	447	143		6,291,000	7.7
Johnson	muni	484	191		11,110,000	8.
Kansas City BPU	muni	58,927	6,697	232	414,020,000	6.2
Kingman	muni	1,491	312	51	34,698,000	6.7
Kiowa	muni	616	151		9,058,000	9.1
La Crosse	muni	654	169		8,341,564	10.5
La Harpe	muni	400	10		2,027,000	7.4
Lakin	muni	757	133		9,451,000	13.7
Larned	muni	2,181	391	49	35,241,736	8.0
Lincoln	muni	689	187	12	10,146,244	8.5
Lindsborg	muni	1,230	209		20,581,000	8.6
Lucas	muni	263	41	2	2,590,543	8.6
Luray	muni	265			1,393,000	8.6
Mahaska	muni	60	10		329,000	10.2
Mankato	muni	531	139		6,829,106	7.5
Marion	muni	941	59		12,477,000	8.9
McPherson BPU	muni	6,460	967	2	442,059,484	4.7
Meade	muni	737	170		10,727,000	9.4
Minneapolis	muni	845	205		12,864,967	6.9
Montezuma	muni	379	19		5,790,664	6.0
Moran	muni	270	15	3	3,420,000	8.1
Morrill	muni	129	29		1,181,000	7.1
Moundridge	muni	749	120		13,909,000	8.0
Mount Hope	muni	319	24		4,013,000	9.0
Mulberry	muni	286	9		2,107,000	8.0
Mulvane	muni	1,658	199	1	25,178,000	7.8
Muscotah	muni	105	6		715,200	8.5
Neodesha	muni	1,335	328	50	27,444,000	9.8

Muni and coop data from 1991 and 1992 per 1994 Electric World Directory of Electric Utilities. IOU and GT data from 1994 reports.

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Utility	Туре	Numbe	er of Customers		Sales	Ave. Res Rate cents/kwhr
		Res.	Com & Ind	Others	kwhr	
Norton	muni	1,436	330		19,246,200	8.8
Oakley	muni	941	224	88	14 <i>,</i> 496,000	7.5
Oberlin	muni	1,016	273		12,458,810	8.3
Osage City	muni	1,457			20,512,000	6.6
Osawatomie	muni	1,826	217	9	19,238,799	7.6
Osborne	muni	904	181	12	13,087,200	4.9
Ottawa	muni	3 <i>A</i> 12	520	224	86,350,000	8.6
Oxford	muni	501	85	16	7,257,000	7.0
Pomona	muni	469	46		5,318,027	7.9
Pratt	muni	2,198	633	14	64,401,000	7.0
Prescott	muni	126	23	1	1,169,000	10.5
Radium	muni	20			657,000	
Robinson	muni	127	24		1,298,000	7.2
Russell	muni	2,473	778		52,647,160	7.1
Sabetha	muni	1,219	245		32,112,591	6.6
Savonburg	muni	48	11		339,000	10.3
Scranton	muni	275	30		3,396,000	7.3
Seneca	muni	939	255		17,022,700	7.4
Severance	muni	53			315,000	10.7
Seward	muni	38			383,000	
Sharon Springs	muni	502	127		5,065,000	12.1
St. Francis	muni	883	194		8,231,699	11.5
St. John	muni	706	151		9,169,000	9.7
St. Marys	muni	715	202	1	13,113,000	8.1
Stafford	muni	677	112	35	8,803,700	8.3
Sterling	muni	859	168	134	13,034,000	9.1
Stockton	muni	799	242	25	14,527,000	9.0
Toronto	muni	209	24	2	1,598,000	8.7
Troy	muni	541	103		6 <i>A</i> 27,000	7.6
Udall	muni	320	45		4,290,000	8.8
Vermillion	muni	81	13		641,000	10.7

Muni and coop data from 1991 and 1992 per 1994 Electric World Directory of Electric Utilities. IOU and GT data from 1994 reports.

Utility	Туре	Number of Customers			Number of Customers		Sales	Ave. Res Rate
Jimy		Res.	Com & Ind	Others	kwhr	cents/kwhr		
Mamaga	muni	1,485	268	71	23,777,000	8.4		
Wamego Washington	muni	659			8,812,000	9.0		
Waterville	muni	374			3,937,000	8.9 9.2		
Wathena	muni	554			6,595,000 81,356,127	8.1		
Wellington	muni	3,804		851	206,504,151	7.4		
Winfield	muni	5,593	1,270	001	200,00 1,10 1			
Totals		1,060,164	171,993	13,275	31,439,771,143			