MINUTES OF THE SENATE UTILITIES COMMITTEE.

The meeting was called to order by Chairperson Senator Stan Clark at 9:30 a.m on March 20, 2003 in Room 231-N of the Capitol.

All members were present except: Senator Wagle, excused

Raney Gilliland, Legislative Research Committee staff present:

> Emalene Correll, Legislative Research Bruce Kinzie, Revisor of Statutes

Ann McMorris, Secretary

Conferees appearing before the committee:

Others attending:

See attached list

Chair opened:

HB 2130-Encouragement of increased electric transmission capacity; facility siting; pass-through of costs.

Moved by Senator Emler, seconded by Senator Taddington, amend HB 2130 by striking on page 1 line 34 the language "and energy to retail customers" and inserting ", in a manner consistent with the determination of transmission related costs from an order of a regulatory authority having legal jurisdiction,". Motion carried. (Attachment 1)

Moved by Senator Brownlee, seconded by Senator Taddington, amend HB 2130 on page 2, line 11 by changing "five" to "thirty". Motion carried.

Moved by Senator Tyson, seconded by Senator Taddington, HB 2130 be passed out favorably as amended. Motion carried.

Chair opened:

HB 2186-Rules and procedures for disconnecting residential customers' electric or gas utility service.

The committee expresses its desire for the Kansas Corporation Commission to convene a round table for the purpose of establishing a revised cold weather order. The intent would be to establish a method by which interested social agencies would be able to more timely assist those truly in need of assistance in paying their utility bills while allowing utility companies added tools to deal with those who won't pay. The round table should be a cross section of interested stakeholders with an emphasis on stakeholders with a financial involvement. The work of the round table should be concluded in time for the revised order to take effect by November 1, 2003.

HB 2280-requiring the recording of leases related to wind resources and technologies Consensus of the committee no action be taken on this bill and it be reconsidered at the legislative session of 2004.

All known business before the committee has been completed.

Adjournment.

Respectfully submitted,

Ann McMorris Secretary

Attachment - 1

SENATE UTILITIES COMMITTEE GUEST LIST

DATE: **MARCH 20, 2003**

Representing
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HOUSE BILL No. 2130

By Committee on Utilities

1 - 30

AN ACT concerning transmission of electric power; relating to siting of certain transmission lines; concerning recovery of certain costs of certain utilities; amending K.S.A. 66-1,180 and repealing the existing section.

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

Section 1. K.S.A. 66-1,180 is hereby amended to read as follows: 66-1,180. All hearings conducted pursuant to this act shall be in accordance with the provisions of the Kansas administrative procedure act. All such hearings shall be completed within 30 days after the commencement thereof, unless the electric utility requests a continuance of any such hearing. All costs of any hearing pursuant to this act shall be taxed against the electric utility. The commission shall make its decision with respect to the necessity for and the reasonableness of the location of the proposed electric transmission line and, taking into consideration the benefit to both consumers in Kansas and consumers outside the state and economic development benefits in Kansas. The commission shall issue or withhold the permit applied for. The commission and may condition such permit as # the commission may deem just and reasonable and as may, in its judgment, best protect the rights of all interested parties and those of the general public.

New Sec. 2. (a) Any electric utility subject to the regulation of the state corporation commission pursuant to K.S.A. 66-101, and amendments thereto, may seek to recover any and all costs associated with the transmission of electric power and energy to retail customers through a separate transmission delivery charge included in customers' bills. The electric utility's initial transmission delivery charge resulting from this section shall be determined by the commission from transmission-related costs approved by the commission in the electric utility's most recent retail rate filing. If an electric utility elects to recover its transmissionrelated costs through a transmission delivery charge, the commission shall, effective the same date as the effective date of the initial transmission delivery charge, reduce the electric utility's retail rates to such a level that the sum of the revenue recovered from such retail rates and the

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, in a manner consistent with the determination of transmission related costs from an order of a regulatory authority having legal jurisdiction,