



Testimony Submitted to the
Local Government Committee
7 February 2023

Josh Svaty, on behalf of
Kansas Municipal Utilities

Neutral Remarks on HB 2150

Good morning, Mr. Chairman, Vice-Chair, Ranking Minority, and members of the committee. Thank you for the opportunity to testify in opposition to House Bill 2150.

Kansas Municipal Utilities (KMU) is the statewide association representing Kansas cities and other public or not-for-profit agencies involved in the ownership and operation of municipal utilities across Kansas. Formed in 1928, KMU provides assistance and information to members with regard to legislative and regulatory issues, training and educational programs, and numerous other services toward the advancement of municipal utilities to achieve maximum benefits for the customer-owners served by our utilities. Our membership ranges in size from some of the largest utilities in the state such as those operated by the Kansas City Board of Public Utilities and the City of Wichita down to some of the smallest utility systems in the state serving fewer than 100 customers.

Kansas Municipal Utilities appreciates the opportunity to provide comments on HB 2150. As lawmakers we want you to be fully informed when you deliberate on potential new policies. Municipal utilities, like our investor-owned or cooperative counterparts in the electric and natural gas space or rural water counterparts, are here because of what we are statutorily required to do given our service territories. Utilities – electric, natural gas, water and wastewater - are governed by strict laws around service territories. Community owned utilities serve not only the community but can also serve the three-mile region around the community as defined in this legislation. While HB2150 deals primarily with subdivisions, we must recognize that utility maintenance, upgrades or new builds require lengthy deliberation and much long-term planning and are determined on the future use of the area. System maintenance is costly, but also safety is an imperative. It is crucial that a city be able to plan for new growth, but also maintain its existing infrastructure effectively. Maintaining a safe, reliable utility offering electric, natural gas, water and wastewater service is imperative and thus changes to the three-mile language could have unintended impacts on utility service in the community and within the three-mile zone.

Our community utilities understand that people frequently live outside the city limits because they don't want to be subject to the rules of the city, but in this case those residents may also be customers of the municipally-owned utility as well, enjoying all the benefits that come from community-owned utility systems. Growth in the three mile region needs to be planned and coordinated, and that when well-coordinated, it makes for a more reliable, safe and affordable utility for all.

Thank you and we would stand for questions.