



My name is Brian Posler, and I serve as the Executive Director for Fuel True: Independent Energy and Convenience. We are the nonprofit, statewide trade association representing the independent Kansas Energy distribution companies and serve as the voice of the over 2000 fuel retail locations throughout Kansas. We have businesses in every county and in each of your districts.

Mr. Chairman and committee members, thank you for the opportunity to provide testimony supporting SB 167.

The businesses I represent are exploring electric vehicle fast-charging investment opportunities in Kansas at our existing refueling locations, but they are often hesitant to invest due to the lack of legal certainty that Kansas' EV charging market will be based on a level playing field.

It is our goal to make recharging an EV in Kansas as convenient as it is today filling a car with gas. But to do that there are several barriers to private investment that must be addressed.

One such barrier that this legislation addresses is "rate basing EV chargers." This refers to the practice of electric utilities passing along the costs of installing and operating public EV fast chargers broadly to all ratepayers, regardless of whether the ratepayer owns an EV or not. In essence, all the ratepayers would be subsidizing the growth of the utility company's network, at the expense of potential competitors.

My fuel retailers want to provide the products that their customers want to purchase, including EV charging services. But these require potentially risky, significant upfront investments of capital, and to build out this network of EV charging stations we need some certainty that our investments will not be unfairly undercut by electric utilities that have access to risk free capital through their captive rate base.

It is imperative that the legislature enact this legislation to create a level playing field for EV fast charging that promotes private investment and allows free market competition.

Establishing a level playing field will ensure that Kansas' EV charging market develops in a way that doesn't place the cost burden on utility ratepayers, many of whom do not own an EV, and who would not voluntarily pay their utility company to build out electric charging stations.

For these reasons, my members support SB 167, and we ask that you vote to report it favorably. Thank you for your time, and I am happy to answer any questions at the appropriate time.

My contact information is below:

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