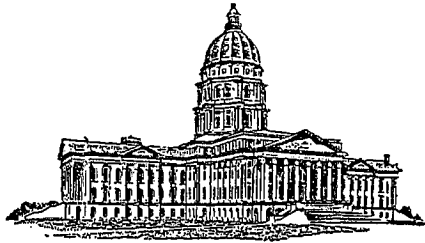


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MEMORANDUM

To: Chairman Holmes and members of the House Energy and Utilities Committee
From: Matt Sterling, Assistant Revisor of Statutes
Date: January 19, 2012
Subject: HB 2436

HB 2436 concerns the issuance of a certificate of public convenience by the Kansas Corporation Commission. Under current law, any common carrier or public utility that wishes to operate in Kansas is required to first obtain a certificate of public convenience from the KCC. Once an application is made, the KCC then determines if permitting the applicant to transact the business of a common carrier or public utility would serve the public interest of Kansas. If it is determined that it would, then the certificate is issued.

Currently, there is no requirement for the KCC to make such determination within a specific time frame. The bill would require the KCC to make a decision on an application for a certificate of public convenience within 180 days of receiving the application.

The bill would require a technical amendment in line 7, inserting subsection “(a)”. The language on page 2, line 2 referring to a utility’s application might be construed more narrowly than the rest of the statute and should be changed to “common carrier or public utility’s” application.