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MEMORANDUM

To: Joint Committee on Energy and Environmental Policy
From: Matt Sterling, Assistant Revisor of Statutes
Date: October 17, 2011
Subject: Extension of Cost Recovery for Utilities for Security Measures

K.S.A. 66-1233, which was enacted by the legislature in 2002 in Substitute for SB 545, authorizes electric and natural gas utilities to recover prudent expenditures for security measures reasonably required to protect the utility's generation and transmission assets. The utility may apply to the Kansas Corporation Commission for an adjustment to the utility's customers' bills. Such application and request shall be confidential and subject to protective order of the commission.

When the bill was originally enacted in 2002, it was set to sunset on July 1, 2004. In 2004, the legislature extended that sunset to 2007 in SB 382 and then extended the sunset again in 2007 with HB 2034 to 2011. The legislature subsequently took no action concerning K.S.A. 66-1233, and the provisions of it expired on July 1, 2011.