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**TESTIMONY BEFORE THE  
SENATE UTILITIES COMMITTEE**

**REGARDING SENATE BILL 46  
RELATING TO WIND ENERGY CONVERSION SYSTEMS AND OBSTRUCTION LIGHTING  
AND THE INSTALLATION OF LIGHT-MITIGATING TECHNOLOGY**

**January 25, 2023**

Mr. Chairman and Committee Members:

I am Joel Skelley, and I am the Director of Policy for the Kansas Department of Transportation (KDOT). I am here today to provide testimony about Senate Bill 46. I would like to thank you for the opportunity to meet with you and to provide comments.

KDOT is neutral regarding this bill. However, the agency does have a concern with KDOT being named as the agency to administer waiver request review and issuance of waivers to developers, owner, or operators of an existing wind energy conversion system seeking extensions to the initial 24-month timeframe.

We would suggest KDOT is not the appropriate agency to engage in this administrative role of Senate Bill 46. KDOT does not have interaction or interface with any of the involved stakeholders effected by this bill and therefore would be inserted into a role where there is no strong link.

KDOT does not have authority in this space. Instead, the Federal Aviation Administration is the agency with exclusive authority to regulate aviation safety, the efficiency of the navigable airspace, and air traffic control over airspace and is listed appropriately in the bill to manage system reviews. We believe it is important to note KDOT does have the authority to act on behalf of the FAA in any of those administrative roles nor does the agency actively interface with FAA in this space. As a result of this KDOT is not currently staffed or equipped to perform the functions of the bill.

KDOT would be happy to work with stakeholders on this bill language as appropriate.

Thank you for the opportunity to provide testimony on Senate Bill 46. I am happy to stand for questions at the appropriate time.