

SESSION OF 2023

SUPPLEMENTAL NOTE ON SENATE BILL NO. 166

As Amended by Senate Committee on Utilities

Brief*

SB 166, as amended, would require the Kansas Corporation Commission (KCC), upon and after the filing of an application for a siting permit of an electric transmission line, to disclose and allow public inspection of any application, including any application filed prior to July 1, 2023.

The bill would also clarify the items required to be included in the application and clarify the requirements for a public hearing on the application.

The bill would also modify current law by prohibiting the KCC from limiting the disclosure of required information on applications. The bill would state that any protective order issued by the KCC prior to July 1, 2023, that limits the disclosure of required information on an application would be null and void to the extent the protective order limits the disclosure of the required information. This provisions of the bill would not be construed to affect any other document, data, contract, proprietary information, trade secret, or other commercial information subject to a protective order issued by the KCC.

Background

The bill was introduced by the Senate Committee on Utilities at the request of a representative of Kansas Farm Bureau.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Senate Committee on Utilities

In the Senate Committee hearing, **proponent** testimony was provided by representatives of the Kansas Farm Bureau and Kansas Livestock Association, and two Kansas landowners. The proponents indicated the bill would improve the transparency and accountability of the electric transmission line permitting process, as it would require landowners to be notified of landowner lists and proposed line locations.

Written-only proponent testimony was provided by one Kansas landowner.

Neutral testimony was provided by a representative of Polsinelli Energy Practice Group. The representative stated the bill would not add any benefits to the process, but if passed with the intention to prohibit the utilization of any confidential information in transmission line siting cases, it could require further statute changes.

No other testimony was provided.

The Senate Committee amended the bill to:

- Prohibit the KCC from limiting the disclosure of the names and addresses of the landowners of record that are required to be included with an application; and
- Add language that states any protective order issued by the commission prior to July 1, 2023, that limited the disclosure of the information required to be specified or included with an application would be null and void.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, both the KCC and Citizens' Utility Ratepayer Board indicate that enactment of the bill would have no fiscal effect.

According to the League of Kansas Municipalities and the Kansas Association of Counties, enactment of the bill would not have a fiscal effect on cities or counties.

Kansas Corporation Commission; applications; siting permit; electric transmission line; public inspection