

HOUSE BILL No. 2464

By Committee on Utilities

2-8

AN ACT concerning underground storage of natural gas; amending
K.S.A. 55-1204 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 55-1204 is hereby amended to read as follows: 55-1204. (a) Any natural gas public utility desiring to exercise the right of eminent domain as to any property for use for underground storage of natural gas ~~shall~~, as a condition precedent to the filing of its petition in the district court, *shall* obtain from the commission a certificate setting out findings of the commission:

(1) That the underground stratum or formation sought to be acquired is suitable for the underground storage of natural gas and that its use for such purposes is in the public interest; and

(2) the amount of recoverable oil and native gas, if any, remaining therein.

(b) The commission shall issue no ~~such~~ certificate *under this section* until after ~~public hearing is had on application and upon reasonable notice to interested parties~~: *(1) The commission causes an independent study to be made to assist the commission in making the findings required by subsection (a); and (2) notice as provided by law is given to all interested parties and a public hearing on the application is held* in accordance with the provisions of the Kansas administrative procedure act.

(c) Subject to the provisions of K.S.A. 55-143 and amendments thereto, the applicant shall be assessed an amount equal to all or any part of the costs of ~~such proceedings~~ *any study and any proceedings conducted pursuant to this section* and the applicant shall pay the amount so assessed *before the commission issues a certificate under this section.*

~~(d)~~ (d) All provisions of K.S.A. 66-106, 66-118a, 66-118b, 66-118c, 66-118d, 66-118e, 66-118j and 66-118k ~~or any~~, and amendments thereto, shall be applicable to all proceedings of the commission under K.S.A. 55-1201 ~~to 55-1206, inclusive, and acts amendatory thereof or supplemental through 55-1206, and amendments~~ thereto.

~~(e)~~ (e) The state corporation commission shall remit all moneys received by or for it for costs assessed under this section to the state treasurer at least monthly. Upon receipt of each such remittance, the state

1 treasurer shall deposit the entire amount thereof in the state treasury and
2 ~~the same shall be credited~~ *credit it* to the conservation fee fund created
3 by K.S.A. 55-143 and amendments thereto.

4 Sec. 2. K.S.A. 55-1204 is hereby repealed.

5 Sec. 3. This act shall take effect and be in force from and after its
6 publication in the statute book.

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