

As Amended by House Committee

As Amended by Senate Committee

Session of 2007

## SENATE BILL No. 128

By Committee on Utilities

1-19

12 AN ACT concerning the state corporation commission; relating to pro-  
13 viding energy conservation information to consumers by certain elec-  
14 tric utilities; establishing the energy conservation education advisory  
15 group.

16  
17 *Be it enacted by the Legislature of the State of Kansas:*

18 Section 1. (a) The state corporation commission shall ~~develop and~~  
19 ~~administer a program requiring~~ **require** all electric public utilities doing  
20 business in Kansas to deliver energy education and conservation promo-  
21 tion programs that are consistent with ~~education and conservation stan-~~  
22 ~~dards~~ **energy conservation education programs and goals** developed  
23 by the Kansas energy office of the state corporation commission. The  
24 Kansas energy office of the state corporation commission ~~shall, through~~  
25 **contracts between the commission and municipalities and electric**  
26 **cooperative utilities, may** administer such program for municipal elec-  
27 tric utilities and electric cooperative utilities.

28 (b) There is hereby created the energy conservation education advi-  
29 sory group for the purpose of developing statewide ~~requirements, stan-~~  
30 ~~dards and guidelines~~ **goals** for the energy education and energy conser-  
31 vation promotion programs pursuant to this section.

32 (c) The energy conservation education advisory group shall be ap-  
33 pointed by the ~~Kansas energy office~~ **governor** and shall consist of:

- 34 (1) One member to represent municipal electric utilities;
- 35 (2) one member to represent electric cooperative utilities;
- 36 (3) two members to represent investor-owned electric utilities;
- 37 (4) one member to represent investor-owned natural gas utilities;
- 38 (5) one member to represent municipal natural gas utilities;
- 39 (6) one member who is an employee of the citizens' utility ratepayer  
40 board;
- 41 (7) one member who is an employee of Kansas state university in the  
42 division of engineering extension;
- 43 ~~(8) one member who is an employee of the Kansas housing resources~~

- 1 ~~corporation;~~  
 2 ~~(9) one member to represent the Kansas university transportation~~  
 3 ~~center, and~~  
 4 ~~(10) two members who are employed by the state corporation~~  
 5 ~~commission~~  
 6 **(8) one member to represent the department of**  
 7 **transportation;**  
 8 **(9) one member to represent the propane industry;**  
 9 **(10) one member to represent the Kansas association for con-**  
 10 **servation and environmental education;**  
 11 **(11) one member to represent the residential construction**  
 12 **industry;**  
 13 **(12) one member to represent the factory built housing**  
 14 **industry;**  
 15 ~~(13) one member to represent the real estate industry;~~  
 16 ~~(14)~~ **(13) one member who is a certified energy star inspector;**  
 17 ~~(15)~~ **(14) one member who represents the mechanical heating,**  
 18 **ventilation and air conditioning contractors who have received a**  
 19 **certificate of competency for purposes of licensure pursuant to**  
 20 **K.S.A. 12-1541, and amendments thereto; and**  
 21 ~~(16)~~ **(15) one member who represents agricultural production.**  
 22 (d) ~~(1)~~ The energy conservation education advisory group shall per-  
 23 form such duties as are prescribed by the Kansas energy office to imple-  
 24 ment the provisions of this section, ~~including prescribing information to~~  
 25 ~~be included in program standards.~~ **Such duties shall include:**  
 26 **(1) Prescribing information to be included in program goals,**  
 27 including, but not limited to:  
 28 (A) How energy customers can access energy conservation services,  
 29 such as energy audits throughout the state;  
 30 (B) financing options for energy conservation improvements;  
 31 (C) existing state and federal government energy conservation pro-  
 32 grams, including the Kansas weatherization assistance program and the  
 33 Kansas energy efficiency program; and  
 34 (D) performance measures and goals.  
 35 ~~(2) The energy conservation advisory group shall develop separate~~  
 36 ~~energy conservation education curricula~~ **Development of separate en-**  
 37 **ergy conservation materials** for the general public, public school stu-  
 38 dents, local governments, residential, commercial and utility classes and  
 39 the transportation sector.  
 40 ~~(3) The energy conservation education advisory group shall recom-~~  
 41 ~~mend~~ **(3) Recommendation of mechanisms for recovery of costs**  
 42 **of the program by different types of participating utilities.**  
 43 **(4) Recommendation of methods of most effectively commu-**

1 **nicating with energy consumers.**

2 (5) **Recommendation of** performance measures and goals to mon-  
3 itor the effectiveness of the programs authorized pursuant to this section  
4 ~~which shall be defined as a percentage of energy consumption.~~ The Kan-  
5 sas energy office of the state corporation commission shall consult with  
6 the energy conservation education advisory group before adopting base-  
7 line data and goals, data collection methodology and reporting formats.

8 (e) On and after July 1, 2008, each electric **public** utility, municipal  
9 electric utility and electric cooperative utility doing business in Kansas  
10 shall provide such utility's consumers with information concerning energy  
11 conservation opportunities and options in accordance with and subject to  
12 the ~~standards~~ **goals** prescribed by the energy conservation education ad-  
13 visory group and the Kansas energy office of the state corporation com-  
14 mission, which shall include, but not be limited to:

15 (1) Increasing general awareness and understanding of energy con-  
16 servation opportunities;

17 (2) information designed to encourage direct energy consumers to  
18 increase their understanding of conservation opportunities specific to  
19 such consumer's energy-use type; and

20 (3) information on energy conservation measures prescribed in the  
21 Kansas energy efficiency disclosure form prepared and disseminated by  
22 the state corporation commission pursuant to K.S.A. 2006 Supp. 66-1228,  
23 and amendments thereto.

24 (f) ~~Electric~~ **The Kansas energy office of the state corporation**  
25 **commission and the Kansas energy council, with consultation from**  
26 **electric public** utilities, municipal electric utilities and electric cooper-  
27 ative utilities, shall annually submit a **written** report to the ~~legislature~~  
28 **senate committee on utilities and the house committee on energy**  
29 **and utilities**, the ~~Kansas energy office of the state corporation commis-~~  
30 ~~sion and the Kansas energy council~~ on or before the beginning of the  
31 regular session of the legislature beginning in ~~2010~~ **2009** on the perform-  
32 ance measures and goal outcomes of the energy education and energy  
33 conservation promotion programs prescribed by this section.

34 (g) Nothing in this section shall be construed to prohibit an electric  
35 **public** utility, municipal electric ~~cooperative~~ utility or electric cooperative  
36 utility from developing additional energy efficiency and conservation serv-  
37 ~~ices for sale to consumers on a fee for service basis.~~

38 (h) The regulated utilities shall be expected to pursue cost recovery  
39 for ~~development~~ **design, development, implementation, promotion,**  
40 **ongoing expenses and evaluation costs** of these programs through the  
41 normal rate-making process.

42 (i) The Kansas energy office of the state corporation commission is  
43 hereby authorized to enter into contracts with the state electric cooper-

1   ative association or the state municipal utility association, or both, or with  
2   a not-for-profit or educational entity, to develop energy education and  
3   energy conservation promotion programs that are consistent with state-  
4   wide standards developed for such programs.

5    Sec. 2. This act shall take effect and be in force from and after its  
6   publication in the statute book.