

Approved: MARCH 9, 1999  
Date

## MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairperson Sen. Pat Ranson at 1:00 p.m. on February 23, 1999 in Room 531-N of the Capitol.

All members were present

Committee staff present:

Lynne Holt, Legislative Research Department  
Mary Torrence, Revisors of Statutes Office  
Jeanne Eudaley, Committee Secretary

Conferees appearing before the committee:

John Wine, Chairman, Kansas Corporation Commission

Others attending:

See attached list

Sen. Ranson asked Mary Torrence to brief the committee on **SB 284-concerning the state corporation commission; relating to certain deliberations.** Ms. Torrence stated the bill was requested by the Kansas Corporation Commission and explained the bill as well as portions of the Open Meetings Law. She explained the need for the commissioners to meet with advisory legal counsel, regarding orders and deliberations of the Commission, where no binding action may be taken. The advisory legal staff meets privately with each individual commissioner to be in compliance with the Open Meetings Act.

Sen. Ranson then introduced John Wine, who gave a brief analysis of the bill (Attachment 1) and stated that the purpose of the bill is to promote efficiency and permit the commissioners and advisory legal staff to make more effective use of time. He stated there are instances where advisory staff must meet privately with each individual commissioner to comply with the Open Meetings Law, and this bill will allow the commissioners to meet with advisory staff and conform with procedural policy set out by the Commission. Mr. Wine stated that in a traditional rate case, much of the evidence and many of the legal questions are intertwined with policy issues where an attorney's comments might not be privileged. He emphasized that after discussing issues with advisory staff, any action taken by the commission is contained in the written Order. Sen. Morris questioned Mr. Wine regarding ex parte restrictions, and Mr. Wine explained that even though FERC has adopted restrictions for the KCC, that they (KCC) also have their own ex parte Rules and Procedures to follow. Sen. Salisbury asked if this is creating another exception to the Open Meetings Act, and Ms. Torrence stated they can have closed executive meetings, depending upon the reason for the meeting. Mr. Wine pointed out that rate cases are not considered judicial matters, but is a quasi legislative matter. Mr. Wine added that an appropriate amendment to the bill would be to insert the word, "advisory", before the words, "legal counsel", for clarification. Sen. Barone and Mr. Wine discussed why the commission can't provide notice, such as a meeting at a certain time each week, or a "blanket" time set each week. Mr. Wine answered that they have to provide ten days notice to all parties, which delays the outcome of cases by months, but did acknowledge that there is no legal reason why they could not schedule meetings in that manner if they would change procedural rules. Sen. Barone stated he is hesitant to grant more exceptions to the Open Meetings Act, when the commission is making decisions with millions of dollars at stake. Sen. Ranson added that the committee has urged the commission to expedite response time to get Orders and other commission business out in a more timely manner, and this bill is a response to those concerns. Mr. Wine stated that it is possible for the commissioners to transact business in an administrative meeting depending upon the subject matter. Sen. Morris cited a classic example where only one commissioner could be present at a meeting because of the law requiring that a quorum could not be present.

There was no other discussion, and Sen. Ranson asked committee its wishes on the bill. Sen. Salisbury made a motion to insert the words, "Commission's legal counsel shall not include any person who participates in any proceeding before the commission or who advocates, advises or represents the commission's technical staff concerning any matter pending before the commission". The motion was seconded by Sen. Morris, and the motion passed. Sen. Clark made a motion the committee pass the bill as amended, and it was seconded by Sen. Steffes; the motion passed.

CONTINUATION SHEET

MINUTES OF THE SENATE UTILITIES COMMITTEE, Room 531-N Statehouse, at 1:00 p.m. on February 23, 1999.

Sen. Ranson then asked the committee to focus attention to the following bills:

**SB 243-concerning electric generation facility siting**  
**SB 257-concerning siting of certain electric generation facilities**

Sen. Ranson stated the bills repeal the Siting Act, except for nuclear power, and asked Larry Holloway what the impact on the rate base would be. Mr. Holloway answered that a utility would have to come to the Corporation Commission for a rate case hearing, in order to add to the rate base in terms of generation. He stated the bills exempts utilities from coming to the Commission for approval when adding additional siting or new construction. Sen. Pugh brought up the subject of eminent domain for public utilities and how that relates to siting and the two bills being considered. The committee discussed the transmission and generation phase of the Siting Act, and Sen. Ranson suggested that the transmission and generation be separated into two bills - that **SB 257** be rolled into **SB 243**, excluding nuclear. Sen. Morris asked if the amendment will give incumbents an advantage, and Sen. Ranson answered it would result in a level playing field. Sen. Barone made a motion that SB 257 be placed into SB 243, creating a substitute bill, and it was seconded by Sen. Steffes; the motion passed. Sen. Lee asked if, as a courtesy to Sen. Corbin, the bill would still retain his name, and Sen. Ranson stated she had talked with Sen. Corbin, and he was agreeable to that. The committee discussed restrictions on the proposal and what the restrictions would be for a new plant or a merchant plant. Mr. Holloway referred to Chapter 66-104 and the definition of a public utility and stated that **SB 257** would allow merchant plants and/or new plants without siting requirements. Roll call vote was taken, and the motion passed.

Ms. Torrence distributed "proposed amendment to **SB 243 or 257**" (Attachment 2) and stated that the proposal exempts any upgrade of existing transmission lines of 230 KV line or more on upgrading of existing transmission lines or easements. Mr. Holloway stated the Corporation Commission's position would be neutral but there are utilities who would like to be exempt also, but have only 161 KV lines and would be subject to the siting act. Ms. Torrence also distributed the statute which would be affected, K.S.A. 66-1,177 and the following statutes (Attachment 3), which would be involved to repeal the Siting Act. She explained the statutes and called attention to 66-1,183, which places a duty on electric utilities to restore the land upon which the lines are constructed. Sen. Ranson asked for clarification, and stated the statutes being discussed would remove the requirement for siting on the lines. Sen. Ranson also called attention to 66-1,182, which states an exemption if an electric utility complies with the provisions of the national environmental policy act of 1969. Sen. Lee questioned the ability to condemn land and how that would be affected, and Ms. Torrence replied that is done in a separate proceeding. Mr. Holloway stated the KCC has been involved in several controversial siting processes, and referred to one in Johnson County. He added that none have met the requirements for the Transmission Siting Act and also added that the KCC has used the complaint process to review those cases. Ms. Torrence added that the KCC looks at the necessity for line transmission and the reasonableness of the location.

Sen. Ranson recognized Wayne Kitchens (Western Resources) and asked for input from him, and he stated no objection to 66-1,183 regarding transmission, but stated the first amendment discussed would not improve the siting problem. The committee discussed including the 230 KV line, or the bulk transfer, and consensus was there should be no limit. Mr. Kitchens also added, regarding 66-1,183, that there are provisions in existing franchise fee agreements for cleaning up the land and environment. Sen. Brownlee made a motion to repeal the siting act by amending K.S.A. 66-104b, 66-104d and 66-1,177 and K.S.A. 1998 Supp. 66-128 and repeal the existing sections; to also repeal K.S.A. 66-1,178, 66-1,179, 66-1,180, 66-1,181 and 66-1,182, and to make it effective by publication in the Register. The motion was seconded by Sen. Salisbury; the motion passed. Sen. Brownlee made a motion that **Substitute for SB 257** be passed out of committee and it was seconded by Sen. Clark. Upon roll call vote, the motion passed.

Sen. Ranson announced the committee will not meet until next Wednesday or Thursday.

Meeting adjourned at 2:25.

Next meeting will be March 3 or 4.

# SENATE UTILITIES COMMITTEE GUEST LIST

DATE: Feb. 23, 1999

NAME	REPRESENTING
John Wine	KCC
Jim Wilby	KCC
Susan Sura	Issues Management Group
Louis Stroup Jr.	KS Municipal Utilities
Bruce Graham	ICEPCO
Kim Gulley	LKM
J.C. Long	UCU
DICK CARTER	ENRON
Tom X. Mills	KCC
Doug Lawrence	SWBT
Jack Graves	KY-OK + MURK
John C. Bottentyn	West Res.
ED SCHAUB	" "
Wayne Kitchen	Western Resour
WALKER HENDRIX	CURB
Sandy Braden	Mc Gill, Gaches & Assoc.



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## Kansas Corporation Commission

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Bill Graves, Governor John Wine, Chair Cynthia L. Claus, Commissioner Brian J. Moline, Commissioner

**Testimony on Senate Bill No. 284**  
**Senate Utilities Committee**  
**February 23, 1999**

My testimony in support of SB 284 will be brief and personal. It will be brief because it is a straight forward bill and personal because this issue arose after the submission of our agency's formal legislative package so I'm speaking on my own behalf.

The purpose of this bill is to promote efficiency and permit us to make more effective use of our advisory staff's time. In major cases the commissioners must read and consider hundreds or even thousands of pages prefiled testimony of expert witnesses and the evidence that is later submitted at lengthy hearings. We must consider prehearing and posthearing motions and review the briefs. Ultimately we must consult extensively with advisory legal staff and craft a written order, sometimes hundreds of pages long, that will withstand judicial scrutiny on appeal.

In order to get the analysis we need, we frequently meet with advisory legal staff - attorneys that were not involved in representing staff's position in the case. Because we now must meet with them individually, they are required to repeat the process three times. Although the open meetings act has an exception for consultations with legal counsel, it is limited specifically to privileged communications. For example, when we discuss a K.C.C. response as a party in a Federal Energy Regulatory Commission case, we can go into executive session to consult with legal counsel. But, in a traditional rate case of our own, much of the evidence and many of the legal questions are intertwined with policy issues where an attorney's comments might not necessarily be privileged. Trying to provide notice and schedule public meetings would excessively consume staff time as well as delay the process further.

After all of the evidence is in and the arguments made, either a draft order is circulated among the commissioners and signed without a meeting or a memo discussing the issues is prepared by advisory staff and discussed by the commissioners at a public meeting. The action taken by the commission is always contained in the written order. The change this bill would make is to provide the opportunity for advisory staff to give us the preliminary analysis immediately after preparing it and without having to repeat it three times.

Thank you.

John Wine  
Chair

Senate Utilities  
2-23-99  
Attach. 1

1999

PROPOSED AMENDMENT TO SENATE BILL NO. 243 OR 257

14-2  
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Amend the following section:

Sec. \_\_. K.S.A. 66-1,182 is hereby amended to read as follows: 66-1,182. The provisions of this act shall not apply to:

(a) Any upgrade of existing electric transmission lines on existing electric transmission line easement; or

(b) any electric utility which complies with the provisions of the national environmental policy act of 1969 with regard to the siting of electric transmission lines.

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Attach. 2*

**66-1,176c**

**PUBLIC UTILITIES**

the parts of the local electric distribution system necessary to serve all customers within the previously franchised area and the terminated supplier shall sell the system to the governing body of such city for which it shall be fairly compensated. Such compensation shall be an amount mutually agreed upon by the affected parties or an amount determined by the following formula:

(1) The depreciated replacement cost for the electric utility facilities in the territory in which the service rights have been terminated. As used in this paragraph, "depreciated replacement cost" means the original installed cost of the facilities, adjusted to present value by utilizing a nationally recognized index of utility construction costs, less accumulated depreciation based on the book depreciation rates of the selling utility, as filed with and approved by the state corporation commission, which are in effect at the time of acquisition;

(2) the depreciated replacement costs of the remaining proportion of any take or pay power contracts or participation power agreements;

(3) the depreciated replacement cost for the electric utility facilities outside the affected territory used in providing service to the formerly franchised area. Such facilities shall include all generation facilities and all transmission facilities throughout the terminated utility's integrated system, the value of which shall be determined by the depreciated replacement cost formula in paragraph (1) multiplied by the percentage of the terminated utility's total retail kilowatt-hour sales to customers in the affected area during the 12 months next preceding the effective date of the sale;

(4) all reasonable and prudent costs of detaching the electric system facilities to be sold, including the reasonable costs of studies and inventories made to determine the facility's value and all reasonable and prudent costs of reintegrating the remaining electric system facilities of the retail electric supplier whose service rights are terminated;

(5) an amount equal to the net revenues received during the 12 months next preceding the date of termination of the service rights from the customers within the affected area of the retail electric supplier whose service rights are terminated. As used in this paragraph, "net revenues" means the total revenues received by the terminated utility for electric service within the affected area less franchise and sales taxes collected; the cost of fuel or purchased power recovered in the revenues; and labor,

maintenance, administration and insurance. This number shall be multiplied by the number of years remaining in any franchise contract; and

(6) an amount equal to the state and federal tax liability created by the taxable income pursuant to the provisions of this paragraph and paragraphs (1), (2), (3), (4) and (5) by the retail electric supplier whose service rights are terminated, calculated without regard to any tax deductions or benefits not related to the sale of assets covered herein.

(b) If the parties are unable to agree upon the amount of compensation to be paid pursuant to this act after 60 days following the date of termination of service rights, either party may apply to the district court having jurisdiction where any portion of the facilities is located for determination of compensation. Such determination shall be made by the court sitting without a jury.

History: L. 1987, ch. 255, § 1; April 23.

**66-1,176c.** Compensation of private retail electric supplier for certain electric system facilities acquired by city. In addition to the fair cash value of any plant and appurtenance thereto determined pursuant to K.S.A. 12-811, a retail electric supplier whose service rights have expired by reason of failure of the renewal of a valid franchise shall be entitled to compensation for all reasonable and prudent costs of detaching the electric system facilities to be sold and all reasonable and prudent costs of reintegrating the remaining electric system facilities of such retail electric supplier less the value of all electric system facilities replaced by new facilities required for the reintegration of the remaining electric system facilities.

History: L. 1987, ch. 255, § 2; April 23.

**ELECTRIC TRANSMISSION LINES**

**66-1,177.** Electric transmission lines; definitions. As used in this act, the following terms shall have the meanings ascribed to them herein:

(a) "Electric utility" means every public utility, as defined by K.S.A. 66-104, which owns, controls, operates or manages any equipment, plant or generating machinery for the production, transmission, delivery or furnishing, of electricity or electric power;

(b) "Electric transmission lines" means any line or extension of a line which is at least five (5) miles in length and which is used for the

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Attach. 3*

bulk transfer of two hundred thirty (230) kilovolts or more of electricity;

(c) "Commission" means the state corporation commission.

History: L. 1979, ch. 207, § 1; July 1.

**Research and Practice Aids:**

Electricity ⇐ 9.

C.J.S. Electricity §§ 5, 16, 50.

**CASE ANNOTATIONS**

1. Act not applicable to utilities that substantially comply with act because of compliance with federal law. *McGinnis v. Kansas City Power & Light Co.*, 231 K. 672, 673, 675, 676, 677, 678, 680, 681, 685, 647 P.2d 1313 (1982).

2. KCC limited to determination of reasonableness of location; necessity of line not reviewable. *Kansas City Power & Light Co. v. Kansas Corporation Commission*, 9 K.A.2d 49, 52, 670 P.2d 1369 (1983).

**66-1,178.** Same; siting of electric transmission lines; permit required; application, contents; hearing. No electric utility may begin site preparation for or construction of an electric transmission line, or exercise the right of eminent domain to acquire any interest in land in connection with the site preparation for a construction of any such line without first acquiring a siting permit from the commission. Whenever any such electric utility desires to obtain such a permit, it shall file an application with the commission setting forth therein that it proposes to construct an electric transmission line and specifying the proposed location thereof, the names and addresses of the landowners of record whose land or interest therein is proposed to be acquired in connection with the construction of such a line and such other information as may be required by the commission. Thereupon the commission shall fix a time for a public hearing on such application, which shall be not more than 60 days from the date the application was filed, to determine the necessity for and the reasonableness of the location of the proposed electric transmission line. The commission shall fix the place for hearing, which may be in any county through which the electric transmission line is proposed to traverse.

History: L. 1979, ch. 207, § 2; L. 1984, ch. 248, § 1; April 26.

**CASE ANNOTATIONS**

1. Utility must comply with notice and procedural requirements of either this act or federal law. *McGinnis v. Kansas City Power & Light Co.*, 231 K. 672, 673, 680, 647 P.2d 1313 (1982).

2. KCC limited to determination of reasonableness of line location only. *Kansas City Power & Light Co. v. Kansas Corporation Commission*, 9 K.A.2d 49, 50, 670 P.2d 1369 (1983).

**66-1,179.** Same; notice of hearing. The commission shall publish notice of the time, place and subject matter of such hearing in newspapers having general circulation in every county through which the electric transmission line is proposed to traverse once each week for three (3) consecutive weeks, the last publication to be not less than five (5) days before such hearing date. Written notice by certified mail of such hearing and a copy of the application shall be served not less than twenty (20) days prior to the hearing date upon all landowners, as shown by the application.

History: L. 1979, ch. 207, § 3; July 1.

**CASE ANNOTATIONS**

1. Utility must comply with notice and procedural requirements of either this act or federal law. *McGinnis v. Kansas City Power & Light Co.*, 231 K. 672, 673, 677, 647 P.2d 1313 (1982).

**66-1,180.** Siting of electric transmission lines; hearing proceedings; costs; decision by commission; issuance of permit. All hearings conducted pursuant to this act shall be in accordance with the provisions of the Kansas administrative procedure act. All such hearings shall be completed within 30 days after the commencement thereof, unless the electric utility requests a continuance of any such hearing. All costs of any hearing pursuant to this act shall be taxed against the electric utility. The commission shall make its decision with respect to the necessity for and the reasonableness of the location of the proposed electric transmission line and shall issue or withhold the permit applied for. The commission may condition such permit as it may deem just and reasonable and as may, in its judgment, best protect the rights of all interested parties and those of the general public.

History: L. 1979, ch. 207, § 4; L. 1984, ch. 248, § 2; L. 1988, ch. 356, § 248; July 1, 1989.

**CASE ANNOTATIONS**

1. KCC limited to determination of reasonableness of line location only. *Kansas City Power & Light Co. v. Kansas Corporation Commission*, 9 K.A.2d 49, 51, 670 P.2d 1369 (1983).

**66-1,181.** Judicial review of commission's actions. The provisions of K.S.A. 66-118a through 66-118e, 66-118g and 66-118h, and amendments thereto, as they apply to the review of an order or decision of the commission arising from a rate hearing, shall be applicable to any appeal taken from any decision made under this act.

**History:** L. 1979, ch. 207, § 5; L. 1986, ch. 318, § 124; July 1.

CASE ANNOTATIONS

1. KCC limited to determination of reasonableness of location; necessity of line not reviewable. *Kansas City Power & Light Co. v. Kansas Corporation Commission*, 9 K.A.2d 49, 52, 670 P.2d 1369 (1983).

**66-1,182.** Same; not applicable, when. The provisions of this act shall not apply to any electric utility which complies with the provisions of the national environmental policy act of 1969 with regard to the siting of electric transmission lines.

**History:** L. 1979, ch. 207, § 6; July 1.

CASE ANNOTATIONS

1. Utility must comply with notice and procedural requirements of either this act or federal law. *McCinnis v. Kansas City Power & Light Co.*, 231 K. 672, 673, 675, 676, 680, 647 P.2d 1313 (1982).

**66-1,183.** Same; duty of utility to restore land. It shall be the duty of every electric utility which constructs an electric transmission line to restore the land upon which such line is constructed to its condition which existed prior to such construction.

**History:** L. 1979, ch. 207, § 7; July 1.

CASE ANNOTATIONS

1. Cited; KCC limited to determination of reasonableness of line location only. *Kansas City Power & Light Co. v. Kansas Corporation Commission*, 9 K.A.2d 49, 50, 670 P.2d 1369 (1983).

PARALLEL GENERATION SERVICES

**66-1,184.** Contracts for parallel generation services between electric utilities and its customers; terms and conditions; duties of customer. Every public utility which provides retail electric services in this state shall enter into a contract for parallel generation service with any person who is a customer of such utility, upon request of such customer, whereby such customer may attach or connect to the utility's delivery and metering system an apparatus or device for the purpose of feeding excess electrical power which is generated by such customer's energy producing system into the utility's system. No such apparatus or device shall either cause damage to the public utility's system or equipment or present an undue hazard to utility personnel. Every such contract shall include, but need not be limited to, provisions relating to fair and equitable compensation on such customer's monthly bill for energy supplied to the utility by such customer, and the following terms and conditions:  
(a) The utility will supply, own, and maintain

all necessary meters and associated equipment utilized for billing. In addition, and for the purposes of monitoring customer generation and load, the utility may install at its expense, load research metering. The customer shall supply, at no expense to the utility, a suitable location for meters and associated equipment used for billing and for load research; (b) for the purposes of insuring the safety and quality of utility system power, the utility shall have the right to require the customer, at certain times and as electrical operating conditions warrant, to limit the production of electrical energy from the generating facility to an amount no greater than the load at the customer's facility of which the generating facility is a part; (c) the customer shall furnish, install, operate, and maintain in good order and repair and without cost to the utility, such relays, locks and seals, breakers, automatic synchronizer, and other control and protective apparatus as shall be designated by the utility as being required as suitable for the operation of the generator in parallel with the utility's system. In any case where the customer and the utility cannot agree to terms and conditions of any such contract, the state corporation commission shall establish the terms and conditions for such contract. In addition, the utility may install, own, and maintain a disconnecting device located near the electric meter or meters. Interconnection facilities between the customer's and the utility's equipment shall be accessible at all reasonable times to utility personnel. The customer may be required to reimburse the utility for any equipment or facilities required as a result of the installation by the customer of generation in parallel with the utility's service. The customer shall notify the utility prior to the initial energizing and start-up testing of the customer-owned generator, and the utility shall have the right to have a representative present at such test; and (d) the utility may require a special agreement for conditions related to technical and safety aspects of parallel generation.

Service under any such contract shall be subject to the utility's rules and regulations on file with the state corporation commission.

**History:** L. 1979, ch. 208, § 1; July 1.

Research and Practice Aids:

Electricity § 8.4.

C.J.S. Electricity § 15.

CASE ANNOTATIONS

1. Where federal law has preempted field in area of cogeneration, KCC cannot require purchase of electricity



(c) when the common carrier at the time of transportation has a legal or equitable interest, directly or indirectly, in the article or commodity, except materials and supplies for its own use.

Every public utility is prohibited from engaging in any business in this state which is not in conformity with its charter or in which it is not permitted to engage under the laws of the state of Kansas: Provided, That this section shall not apply to ownership by railroads of the stock, bonds, or other forms of indebtedness of union depot or terminal railroad properties used in common by two or more such railroads. The provisions of this section shall not apply to resellers of telecommunications services or interexchange carriers.

**History:** L. 1911, ch. 238, § 27; R.S. 1923, 66-127; L. 1996, ch. 268, § 19; July 1.

**66-128.** Valuation of property for rate-making purposes by commission; construction work in progress. (a) The state corporation commission shall determine the reasonable value of all or whatever fraction or percentage of the property of any common carrier or public utility governed by the provisions of this act which property is used and required to be used in its services to the public within the state of Kansas, whenever the commission deems the ascertainment of such value necessary in order to enable the commission to fix fair and reasonable rates, joint rates, tolls and charges. In making such valuations the commission may avail itself of any reports, records or other things available to the commission in the office of any national, state or municipal officer or board.

(b) For the purposes of this act, property of any public utility which has not been completed and dedicated to commercial service shall not be deemed to be used and required to be used in the public utility's service to the public, except that, any property of a public utility may be deemed to be completed and dedicated to commercial service if: (1) Construction of the property will be commenced and completed in one year or less; (2) the property is an electric generation facility that has a capacity of 100 megawatts or less and converts wind, solar, biomass, landfill gas or any other renewable source of energy; or (3) construction of the property has been authorized by a siting permit issued under K.S.A. 66-1,158 et seq. or 66-1,177 et seq., and amendments thereto.

**History:** L. 1911, ch. 238, § 28; R.S. 1923, 66-128; L. 1978, ch. 266, § 1; L. 1984, ch. 247, § 1; L. 1995, ch. 264, § 1; July 1.

**66-128a.**

**Law Review and Bar Journal References:**

"Retail Electric Competition in Kansas: A Utility Perspective," Sonnet C. Edmonds, 37 W.L.J. 603 (1998).

**66-128b.**

**Attorney General's Opinions:**

Public utilities; rate making; legislative discretion. 94-76.

**66-128d.**

**Law Review and Bar Journal References:**

"Retail Electric Competition in Kansas: A Utility Perspective," Sonnet C. Edmonds, 37 W.L.J. 603 (1998).

**66-128g.**

**Law Review and Bar Journal References:**

"Retail Electric Competition in Kansas: A Utility Perspective," Sonnet C. Edmonds, 37 W.L.J. 603 (1998).

**66-129.** Examination of accounts and records. The commission shall have authority to examine and audit all accounts, and all items shall be allocated to the accounts prescribed by the commission. The agents, accountants or examiners employed by the commission shall have authority under the direction of the commission to inspect and examine any and all books, account papers, records, property and memoranda kept by such public utilities and common carriers.

**History:** L. 1911, ch. 238, § 29; R.S. 1923, 66-129; L. 1995, ch. 15, § 1; July 1.

**Attorney General's Opinions:**

KCC; powers; rules and regulations; gas or electric public utilities; nonregulated private enterprises. 95-65.

**66-129a.**

**Attorney General's Opinions:**

KCC; powers; rules and regulations; gas or electric public utilities; nonregulated private enterprises. 95-65.

**66-130.**

**History:** L. 1911, ch. 238, § 30; R.S. 1923, 66-130; Repealed, L. 1995, ch. 3, § 1; July 1.

**66-131.**

**Law Review and Bar Journal References:**

"TeleKansas and the Future of Alternative Telecommunications Regulation in Kansas," Darin Dugger, 43 K.L.R. 705 (1995).

**CASE ANNOTATIONS**

16. Right-of-way grant is not an illegal contract; parties not transact business without proper certificate. *Kansas and Electric Co. v. Will Investments, Inc.*, 261 K. 125, 928 P.2d 73 (1996).