

Approved: MARCH 9, 1999  
Date

## MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairperson Sen. Pat Ranson at 1:30 p.m. on March 4, 1999 in Room 531-N of the Capitol.

All members were present except:  
Sen. Morris was excused

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

Conferees appearing before the committee:  
Jim Ludwig, Executive Director, Regulatory Affairs, Western Resources  
Larry Holloway, Chief of Electric Rates, Kansas Corporation Commission

Others attending:  
See attached list

Sen. Barone introduced pages from his district, who are assisting the committee today. Sen. Ranson introduced Larry Holloway, who furnished a map depicting electric certified areas, transmission lines and power plants in Kansas (map available from the Kansas Corporation Commission). Copies of the map were distributed to members. Mr. Holloway called it a "combo" map, since it shows both electric certified areas and transmission lines and power plants in the state and briefly explained it to the committee. He explained that a mega watt is one volt times one amp; he also referred to the electro magnetic field (EMF), which was discussed yesterday. He stated that there is no harmful elements in the electro field, and the magnetic field, which is thought to cause health problems, actually decreases as the current increases. In answer to a question from Sen. Ranson, Mr. Holloway explained the amount of voltage flowing through the lines and that the utility companies decide how much voltage to put through the lines, because of cost factors. Mr. Holloway also discussed the loss of 230 kV lines from Jeffrey Center to Concordia and stated that some companies will place small generating units for transmission to remote areas.

Sen. Ranson then stated the committee will discuss and take action on: **Sub SB 257-concerning electric transmission lines** and recalled that yesterday the committee requested Mr. Ludwig furnish the committee with a list of regulatory oversights for transmission line siting and construction, other than siting proceeding before the KCC. The list is contained in a letter to the Chair (Attachment 1). Mr. Ludwig explained the list, and Page 2 contains non-KCC regulatory controls. Sen. Ranson recognized Bruce Graham, who represents Kansas Electric Power Cooperative, Inc., who expressed concern with some sections of the bill and the deregulation question. He discussed this with the committee, then requested that Sections 1, 5, and 6 be kept and the remaining sections be stricken, making it a repealer bill. Ms. Torrence explained why the sections in question were in the bill, which refers to referenced material. Sen. Clark suggested removing the sections and making it a Sub for a Sub bill. Ms. Torrence stated it could be done and so did Sen. Hensley, since the bill has to be reprinted. Sen. Clark made a motion Sections 2, 3 and 4 be removed from the bill and the bill be passed out of committee; the motion was seconded by Sen. Brownlee. Upon roll call vote, the motion passed, and it will be Sub for Sub for SB 257.

Sen. Ranson asked members to consider Minutes of the Meeting for February 22. Sen. Salisbury made a motion the Minutes be approved, and it was seconded by Sen. Barone; the motion passed.

Sen. Ranson announced the agenda for next week. The meeting adjourned at 2:00.

Next meeting will be March 9





JIM LUDWIG  
Executive Director, Regulatory Affairs

March 4, 1999

The Honorable Pat Ranson  
Kansas Senate  
Room 449-N, State Capitol  
Topeka, KS 66612

Dear Senator Ranson:

In your committee hearings yesterday on Subst. SB 257, you asked me to outline other types of regulatory oversight over transmission line siting and construction than the siting proceeding before the KCC.

The KCC would retain a significant level of oversight, even if the transmission siting provisions were repealed as proposed under Subst. SB 257:

- The KCC may initiate, on its own or upon someone else's request, investigations in the context of complaint dockets. In the event of a proposal to build transmission lines, the KCC could initiate an investigation, or a landowner who felt aggrieved could ask the KCC to initiate an investigation. The statutes regarding the KCC's authority to conduct complaint dockets are not changed by Subst. SB 257.
- If an electric utility is planning to build transmission lines outside its retail service territories (e.g., to interconnect two of its non-contiguous territories), the utility must acquire a certificate from the KCC to acquire transmission rights-of-way.
- Electric utilities must obtain an Electric Line (EL) Permit from the KCC before building transmission lines.

SENATE Utilities  
3-4-99  
Attach. 1

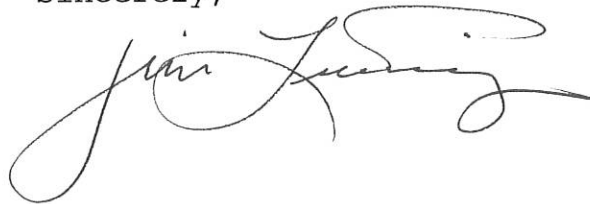
The Honorable Pat Ranson  
Page 2  
March 4, 1999

My list below is not exhaustive, but it is fairly representative of non-KCC regulatory oversight:

- Any transmission line construction that disturbs more than five acres of land triggers EPA involvement.
- The Kansas Department of Agriculture, KDHE and the Army Corps of Engineers become involved when a new transmission line crosses a stream or navigable river.
- The Kansas Department of Transportation and/or the Federal Department of Transportation become involved when transmission lines cross highways or run adjacent to them along public rights-of-way.
- Many townships, counties, and cities require permits for constructing transmission lines.
- Transmission line construction near airports triggers FAA involvement.

I hope this information is what you had in mind and is helpful to the committee. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Ludwig". The signature is written in dark ink and is positioned below the word "Sincerely,".

/jl