



Chair opened hearing on:

**S.R. 1607 - A concurrent resolution in support of the development of a federal energy policy.**

Chair noted this resolution had been proposed by Lee Gerhard of the Kansas Geological Society. Revisor of Statutes staff indicated a technical amendment was needed on line 28 - at the end of the sentence remove the period and add a semicolon and the word "and".

Discussion on KCC oversight in regard to cold weather rule. It was noted this rule applies to electricity and natural gas and there are various statutes that list the exclusions.

Chair closed the hearing on **S.R. 1607**.

Moved by Senator Lee, seconded by Senator Emler, to amend S.R. 1607 on line 28 by deleting the period at the end of the sentence and inserting a semicolon and the word "and". Motion carried.

Moved by Senator Emler, seconded by Senator Barone, to pass S.R. 1607 as amended. Motion carried.

Approval of Minutes

Moved by Senator Barone, seconded by Senator Lyon, minutes of the Senate Utilities Committee for meetings held on January 31, 2001; February 1, 2001; February 5, 2001; February 6, 2001; and February 8, 2001 be approved. Motion carried.

Chair announced there would be a presentation on Tax Implications of Electric Utilities by Richard Cram of the Kansas Department of Revenue at the next meeting on Tuesday, February 13.

Adjournment.

Respectfully submitted,

Ann McMorris, Secretary

Attachments - 6

# SENATE UTILITIES COMMITTEE GUEST LIST

DATE: February 12, 2001

Name	Representing
Marcell Simmons	The Salvation Army
Rebecca Dickson Simmons	The Salvation Army
Deborah Abner	The Salvation Army
Kevin Ellors	The Salvation Army
Dave Sorrick	SKIL Resource Ctr.
Sandra Hazlett	S&S
Ana Hinkle	S&S
Scott Anglemeyer	KDOCH
John C. Bottenby	West. Res.
Mary Ann Gannon	KS Gas Service
TINA LABELARTE	American Red Cross
WALKER HENDRIX	CURB
Bruce Graham	KEPCo



**Senator Anthony Hensley**

**Senate Democratic Leader**

**19<sup>th</sup> District**

**Douglas, Osage and Shawnee Counties**

**Testimony by Senator Anthony Hensley**

**Senate Utilities Committee**

**February 12, 2001**

This year has been very difficult for thousands of Kansas families. A dramatic increase in natural gas prices that began over a year ago has resulted in home heating bills that have doubled or even tripled.

I realize that all of you are well aware of this, and I am appreciative of the effort this committee has made in addressing this crisis. From the first day of the session, this committee has made finding relief for high natural gas bills its number one priority.

I believe that we, as a state legislature, can do more to assist Kansans who are hit hardest by this crisis. Specifically, we need to enact KanHelp.

KanHelp will supplement our current Low Income Energy Assistance Program. There is an important distinction between KanHelp and other energy assistance plans that have been discussed before this committee— KanHelp uses state money to fund a state program.

KanHelp also provides immediate assistance from existing revenues. Again, this is an important distinction. I firmly believe that the assistance “resolution” that we passed will not go far enough in response to this crisis. I realize that the clamor for help has died down over the past week, but very soon people will begin receiving their February gas bills.

Members of the committee, at that point we will be right back where we were a month ago. We will once again be bombarded with requests for assistance.

I know that we have all received dozens of letters and e-mails about this issue, but an e-mail I received over the weekend went straight to the heart of this issue. It is from a constituent in Scranton, which is in Osage County. She has had her utilities shut off because she is unable to pay her bill. The last paragraph, in particular, sums up why we need to be doing more to provide immediate assistance to working Kansans like her.

I urge this committee to act on KanHelp to provide immediate assistance for hardworking Kansans just like my constituent in Scranton. A majority of the people KanHelp will assist are “productive tax paying citizens.” We owe it to them, in a manner of speaking, to put our money where our mouth is. We owe it to them to take immediate action in response to this natural gas crisis.

**From:** "Richard Bardsley" <gandalf\_148@yahoo.com>  
**To:** <hensley@senate.state.ks.us>  
**Date:** Sat, Feb 10, 2001 1:04 AM  
**Subject:** Small town utilities

Honorable Senator Hensley

I live in Osage County. I currently live in Scranton. The city of Scranton has currently disconnected utility services to at least ten families. Why is it that the City of Scranton is allowed to disconnect services, when they purchase services from a company that has to follow the "Cold Weather Rule," that is not allowed to disconnect services.

It does not seem fair that the city can disconnect utility service during the coldest part of the year. It is the City of Scrantons policy to disconnect service after the bill is overdue. Then you have a right to request a hearing in front of the City Council Meeting. The City is notorious for not allowing partial payments on overdue accounts. If a family is willing to pay some of their bill until they can catch up, it doesn't seem reasonable to disconnect services, and then charge a fee of one hundred dollars to reconnect services.

It is not only the City of Scranton that is disconnecting utility services to families in need. Several towns in Osage County are doing the same. Such as Burlingame, Osage City, and Qenamoo. These towns should have to follow the same "Cold Weather Rule" that the large utility companies have to follow. Or be more flexible with their citizens that are willing to work out a payment schedule.

My personal experience is that I fell behind in my utilities, and received notification that my utilities would be disconnected within ten days. The notification also stated that I could request a hearing with the City of Scranton. This I did, at the hearing I offered to pay one hundred dollars and would pay the additional balance within three to four weeks. I was told that this was insufficient, and that I would have to pay an additional two hundred and sixty dollars, which I did not have at the time. When I failed to meet their demands, I was asked to sign a paper that said I would pay the entire amount owed plus a one hundred dollar reconnection fee. When I refused to sign this paper they immediately ordered termination of my services.

I then sought counsel. Counsel sent the City Attorney a letter offering one hundred dollars and the total balance due within three to four weeks as a good faith payment, and requested that the services be reconnected. The City Attorney of Scranton refused the payment. I received additional monies and returned to the City of Scranton's City Clerk's office, I then offered them three hundred dollars and requested that my services be reconnected. The City Clerk refused my payment.

This is where I stand at this time. I have no utility services which include electricity, water, sewer, and trash. I now ask you what is a person supposed to do, when you have offered all you are able to remit and are turned down, and the only recourse is to let the city disconnect your services and live in your cold house. Saving money to have the services reconnected, which is hindered by the reconnection fees, on top of the over due amount.

I have struggled hard this last two years to improve my personal circumstances. I was able to obtain a job and stop using public assistance, and become a productive tax paying citizen. I feel that I have accomplished much. I do not feel like the City of Scranton has given me the respect that I have earned. If there is anything you can do for me or anyone in my position I would greatly appreciate your attention.

Feel free to write me at:  
540 Evergreen  
Scranton, KS 66537  
or email me at my friends address which I am using now.

Sincerely

Shirley Jenkins

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**Kansas Department of Social and Rehabilitation Services**  
**Janet Schalansky, Secretary**



Docking State Office Building  
915 SW Harrison, 6<sup>th</sup> Floor North  
Topeka, Kansas 66612-1570

*for additional information, contact:*

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February 12, 2001

**Low Income Energy Assistance Program  
(LIEAP)**

Economic and Employment Support  
Sandra C. Hazlett  
785.296.6750

**Kansas Department of Social and Rehabilitation Services**  
**Janet Schalansky, Secretary**

**LOW INCOME ENERGY ASSISTANCE PROGRAM (LIEAP)**

Mister Chairperson and members of the committee, I am Sandra Hazlett, Director of the Economic and Employment Support. Thank you for the opportunity to provide updated testimony regarding the Low Income Energy Assistance Program. As I stated in my testimony a few weeks ago, federal funding of about \$16 million is available for LIEAP benefits this year.

The exceptionally cold month of December coupled with high energy costs have created a substantial early demand for energy assistance to help low income Kansans. As of Tuesday, February 6, 2001, \$4.3 million in benefits have been paid to 7,350 households. The average annual benefit is currently averaging \$583. Approximately 12,586 applications are pending for payments and eligibility determinations. Most applications processed have been eligible for benefits, with only 86 applications denied to date.

Applications received to date total just over 20,000, in comparison to 12,700 applications by the third week of the program last year. This is a 37% increase in applications over last year. It is not known whether this increase will continue in the remaining weeks of the program. Perhaps the early increase in applications was generated by the severe December weather and the subsequent high utility bill, and the number of applications submitted will return to more normal levels in the coming weeks. The FY2001 program was based on an estimated 31,000 households, which is an 18.6 percent increase over last year. Three weeks into an eleven week application period is too early to make accurate estimates of whether the \$16 million will be sufficient to provide benefits to every household that applies and is qualified. With the above factors taken into consideration, however, it is possible the LIEAP applications could reach 35,000, with a total cost of \$18.2 million.

The LIEAP program for FY2001 has a gross income limit of 130 percent of federal poverty level (which is \$22,165 for a family of four). Data from FY2000 shows that 75 percent of the households served were under 100 percent of poverty, with the remaining 25 percent of the households being between 100 and 130 percent of poverty.

It is possible per federal regulations to increase the LIEAP income guidelines up to 150 percent of the federal poverty level, which is \$25,575 for a family of four, or an amount equal to 60% of the State median household income, whichever is greater. The median Kansas household income for a family of four is \$55,340, and sixty percent of that amount is \$33,200.

Proposals to provide additional state funded utility assistance would help serve additional consumers. If such funds were made available we would propose adding the funds to the current LIEAP benefit matrix to create a single program that would serve all anticipated applicants under the current LIEAP benefit structure, and could be expanded to serve consumers at higher income levels using our existing infrastructure. If the federal and state funding were kept separate, and the federal funds targeted to those under 130 percent of poverty and the state funds targeted to those over 130 percent of poverty, it is possible that lower income households could be disadvantaged. If federal funding was insufficient benefits could actually be lower for the lower income households than for higher income households, depending on the amount of state funding. Combining federal and state funds would ensure that one income level of household is not advantaged over another, and would generate the largest benefit to those most needy.

A small amount of any additional funding would be needed for administration to process the additional applications timely.

Thank you for allowing me to provide this information. I'd be happy to answer any questions you may have.



## **GAS ASSISTANCE PROGRAM (GAP) GUIDELINES**

Are the following statements true for your household?

- Currently have residential Kansas Gas Service (your service has not been disconnected).
- Total household income falls within the range (based on family size) listed on the Gas Assistance Program Income Guideline sheet. (If your income is below 130% of Poverty, you are eligible for LIEAP and MAY NOT APPLY FOR GAP).
- Have not received assistance through the Project Deserve Program since January 1, 2000.
- Are not on the KGS WeatherProof Bill program.

If the above statements are true for your household, please read carefully Side One of the attached application and complete Side Two. Enclose the necessary verifications and return to the following address:

Kansas Capital Area Chapter  
American Red Cross  
1221 SW 17<sup>th</sup>  
Topeka, KS 66604

785-234-0568 or 866-990-9910 (toll-free)

Senate Utilities Committee  
February 12, 2001  
Attachment 3-1

## Gas Assistance Program (GAP) Income Guidelines\*

Total household income for  
November 1, 2000 to January 31, 2001  
must be between:

Number in Household

1	\$2,715	\$4,175
2	3,657	5,625
3	4,600	7,075
4	5,542	8,525
5	6,485	9,975
6	7,427	11,425
7	8,370	12,875
8	9,312	14,325

For each  
additional  
person, add

\$ 836

\$ 909

\*Based on 130% - 200% of Federal Poverty Guidelines for 2000; those earning less than 130% of poverty during the past three months may qualify for LIEAP--contact your local SRS office or call 1-800-432-0043 (toll-free).

*Gas Assistance Program (GAP) Application Form (Side One)*

• **PURPOSE OF THE PROGRAM:**

Kansas Gas Service Company (KGS) and the American Red Cross will assist a maximum of 7,500 eligible residential customers in reducing the impact of the rise in natural gas prices. A program has been established to provide eligible Kansas Gas Service residential customers with a reduction of the **COST OF GAS (COG)** portion of their bill.

• **APPLICATION PERIOD:**

February 1 – March 30, 2001

OR

Until the maximum of 7,500 residential customers have been assisted, whichever is earlier. Assistance will be provided on a first-come, first-serve basis.

• **WHO CAN APPLY:**

Those households who: 1) meet the income guidelines listed on the Gas Assistance Program (GAP) Income Guideline sheet; 2) have not received Project Deserve since January 1, 2000; 3) are **not eligible** to receive LIEAP in 2001; and 4) are a current Kansas Gas Service residential customer (not disconnected). *Please Note: Customers on KGS WeatherProof bill program are not eligible for GAP.*

• **APPLICATIONS: ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED.**

Incomplete applications **cannot** be processed and will be returned to the applicant.

**Completed applications must include the following:**

- # Completed and signed Gas Assistance Program Application Form;
- # Proof of all household income from November 1, 2000 to January 31, 2001;
- # Copy of your most recent Kansas Gas Service bill.

• **BENEFITS OF THE PROGRAM:**

For qualified residential customers, the COG portion of the gas bill will be reduced by 50% each month for bills rendered during the period January 2, 2001 to June 30, 2001. The credit will appear on the bill 3-6 weeks after the application has been approved by the American Red Cross and will be retroactive.

- Qualified customers may be eligible to receive a one-time grant (in the amount of \$85) from the American Red Cross to assist in meeting immediate financial needs.

**IMPORTANT POINTS TO REMEMBER:**

Your bill **MUST** remain current (be paid by or before the due date shown on the bill) each month. This includes regular pay customers, pay agreement customers and average payment plan customers. **Customers not paying their bills on time will be dropped from the program and will not be reinstated. There will be no exceptions.** A customer who is currently on a pay agreement with KGS or has a balance owing to KGS will be placed into a **new pay agreement** with KGS upon approval for GAP.

Gas Assistance Program (GAP) Application Form—Side Two

KGS Acct. Number: \_\_\_\_\_

Name of Account Holder: \_\_\_\_\_  
Last First Initial

Address: \_\_\_\_\_  
Street City County State Zip

Phone # Social Security # Birth Date Age

**PLEASE LIST ALL PEOPLE LIVING IN YOUR HOME**  
(begin with Head of Household Name in #1. Position)

Full Legal Name	Relationship to Head of Household	Soc. Security No.	Date of Birth
1. _____	SELF	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____

**INCOME VERIFICATION**

Please list all gross income in your household from November 1, 2000 through January 31, 2001. Attach to this application, proof of income (for example, copies of social security income, paycheck stubs or a letter from employer on company letterhead, unemployment benefits, workers compensation, child support/alimony, retirement , etc.)

Source	Amount
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**Release of Confidential Information**

I agree to the release of information contained in this application to the concerned agencies. I hereby authorize my utility company or other vendors related to my household to release information concerning accounts as necessary to ensure timely processing. I certify that the information I have provided is true and correct and I understand that falsifying information will disqualify me from program benefits.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

**Testimony before the Senate Utility Committee**  
**Presented by The Salvation Army**  
**Rebecca Dickson Simmons, Divisional Social Services Director**  
**February 12, 2001**

Mr. Chairman and members of the Committee, thank you for allowing me to speak this morning. My name is Rebecca Dickson Simmons, Divisional Social Service Director for The Salvation Army. I rise this morning to speak in support of SB 144.

The Salvation Army serves Kansas by providing a number of programs and services to address social need across the state. Each county is served by a corps or a service extension center. These locations are run by staff and a huge number of volunteers who serve within the communities where they reside.

Although The Salvation Army sites have always faced a problem where the demand for emergency assistance such as rent and utilities has exceeded the funds available, in the past few months the need for utility assistance has dramatically increased while public funding has decreased. Nonprofit giving over the past Christmas season was down from previous years, and most of our Salvation Army locations were unable to meet their Christmas fund-raising goals. Because most of our sites receive small, if any, amounts of government funding for emergency assistance, this directly impacts the amount of funds available to meet the community needs.

Many of the people served by The Salvation Army are the working poor who have moved from the welfare rolls and are attempting to achieve self-sufficiency. Because many of these families do not make a livable wage, they struggle to pay the basic costs of living. Because a majority of the low-income residents we serve live in the least energy efficient homes, the rising costs of gas has caused severe financial hardship for these citizens in your communities. It is a frequent occasion for these residents to bring a monthly gas bill that exceeds their gross monthly income.

Although there has been a recent increase in federal LIHEAP funds available to the state, there continues to be a high level of unmet need within the community. Our front line emergency assistance staff are now seeing many families seeking financial assistance who have never received prior assistance from a social service agency. However, unfortunately we often have no funds to assist with their utility bills and can only offer emotional support and food from the pantry.

We stand in support of SB 144 and ask that the legislative body support this bill. We also request that these funds be made available to the programs offered by nonprofit organizations like The Salvation Army's Heat Share program for distribution. We believe that nonprofits have trained staff who have both the time and expertise to administer these funds without placing additional burden on the already full caseloads of state organizations.

Thank you for hearing my testimony. I will now present Deborah Abner, Heat Share Coordinator for The Salvation Army who will conclude our testimony and will then stand for questions.

**Testimony before the Senate Utility Committee**  
**Presented by The Salvation Army**  
**Deborah Abner, Divisional HeatShare Coordinator**  
**February 12, 2001**

Mr. Chairman and members of the Committee, thank you for allowing me to speak this morning on behalf of The Salvation Army's HeatShare Utility Assistance Program and in support of SB 144. My name is Deborah Abner and I am the Divisional Coordinator for The Salvation Army's HeatShare Utility Assistance Program.

HeatShare began in 1993 in the State of Kansas through a partnership with People's Natural Gas, now UtiliCorp United/Energy One, headquartered in Kansas City, Missouri. Through HeatShare, UtiliCorp United/Energy One customers are invited to add a donation to their monthly utility bills. These funds are then turned over to The Salvation Army and distributed back into the county they were received by Salvation Army caseworkers located in every county throughout the state. These funds are used to help with heating and cooling bills and may be used toward electricity, natural gas, propane, fuel oil or wood payments. Since the HeatShare program was introduced in 1993, three additional utility companies have joined with HeatShare. They are West Plains Energy, Butler Rural Electric and the City of Altamont, KS.

HeatShare has traditionally raised private dollars to provide energy assistance to households in Kansas who show a provable need, acting as a safety net for individuals who may be unable to receive assistance from other energy programs. This year, the HeatShare program has taken new steps to meet the tremendous outpouring of need we are seeing.

HeatShare prioritizes those who are elderly, those who are disabled or handicapped and those households with a shut-off notice. HeatShare is also able to assist those who may never have asked for financial assistance before but because of medical bills, a birth or death in the family or other provable need find themselves unable to pay. HeatShare is also able to provide assistance with emergency repairs to furnaces, hot water heaters and other energy related equipment. Weatherization repairs to broken windows and doors are also available through this program. The Salvation Army is seeing a dramatic increase in those seeking assistance who have not requested assistance before. For these individuals a small 'rung in the ladder' is all that is needed. For others an intensive process must begin.

HeatShare caseworkers are available to assist families in every county in Kansas. Applications for assistance are handled through the Salvation Army's Community Corps where paid caseworkers are available or through Service Extension volunteers who act as caseworkers through their careers in county health departments, schools, churches, banks and law enforcement agencies. Our paid staff and volunteers act as our eyes and ears in every county, watching for those who might otherwise fall between the cracks.

HeatShare is a grass roots utility assistance program that has trained staff with the expertise to administer all funds available to them. We support SB 144 and believe HeatShare to be a viable means of distributing funds into every county throughout the state.

Thank you for hearing my testimony. Rebecca Simmons and I are available to answer any questions you may have regarding our testimony.

Utilities Committee of the Kansas Senate  
Testimony Presented February 12, 2001  
Dave Sorrick, Pittsburg, KS

Mr. Chairperson and committee members,

It is my pleasure to speak to you this morning. My name is Dave Sorrick and I live in rural Pittsburg, KS. I am employed by the Southeast Kansas Independent Living (SKIL) Resource Center. Our main office is in Parsons and we have satellite offices in Pittsburg, Columbus, Coffeyville, Chanute, Fredonia, and Yates Center.

Last year, our agency provided services to over 1200 people with disabilities in Southeast Kansas. We do individual and systems advocacy in an eight county area in the Southeast corner of Kansas. As such, we are in frequent contact with many members of the various local communities that we serve.

In the past two months, we have heard numerous stories about heating bills and the impact these extraordinary expenses have had on individuals and their families. Many of our customers already are living on fixed incomes, such as Social Security or disability payments. Historically, many of them face difficult financial decisions on a daily basis. We often hear of the struggle to stretch limited funds just to cover necessities like rent, food, and medicine. Now, in the face of this utility price crisis, yet another basic need is in jeopardy—that is, the need to stay warm. This problem is of crisis proportions and threatens to displace homeowners and renters alike who are not able to pay their utility bills.

Let me tell you the story of a couple with whom I am friends. Mick and Bev are a middle class couple with working class roots. Both are now retired school teachers. Mick is a card carrying mason (a brick layer), though he has been disabled for a few years following a couple of car accidents. He continues to pay his union dues and both supported the teachers union prior to retirement.

They own one of the majestic homes on the west side of Pittsburg. The kind of neighborhood that people aspire to live in and often associate with “old money.” In the months of December and January, their gas bills totaled nearly \$2000...over \$800 the first month and over \$1100 the next.

These friends would never dream of asking for assistance with this problem. They will quietly liquidate an asset or two and pay their bills as they always have. They will make choices not to spend money in other areas and will carry on. But, they worry...they worry about this summer and next winter. They know that they have a serious problem on their hands if this situation is allowed to continue. And, as they always have, in the next legislative election they will vote. They will vote for leadership to assist in solving this long-term problem.

The people of Southeast Kansas will not stand for this situation to continue. We are not the kind of folks to stand idly by and watch our neighbors and friends suffer. In this light, we have organized to raise funds in the Pittsburg area under the umbrella of HEATSHARE, a Salvation Army utility assistance program. We intend to continue our fund raising efforts throughout the next several weeks in order to help people pay their utility bills and stay connected to their sources of heat.

We held a press conference on Saturday, February 3, to announce our initiative. We are soliciting private donations, asking local and area businesses to match a corporate challenge donation of \$500, and holding a fundraising party on St. Patrick's Day named "Share the Beat, Share the Heat." We are also supporting our state and federal legislators in seeking long-term solutions to this crisis.

Our organizing committee is represented by over a dozen different social service and humanitarian agencies. We have asked our legislators to stand with us and they have responded. These people are from all walks of life..the clergy, social workers, and private business operators. Many different faiths and political ideologies are represented. It is an inclusive group, because the scope of this emergency affects us all.

Last Friday, in a two hour period, the Pittsburg Salvation Army received 16 applications for Utility Assistance. In spite of a snow storm that day, we committed over \$5000 in relief funds from three different funding sources, one of which is HEATSHARE. From our local effort to date we have raised over \$2000 for HEATSHARE, which was spent in a matter of moments.

We have only "scratched the surface" of the need. With only word of mouth and press releases seeking funds, the word is just now getting out that maybe, just maybe, we can help. We anticipate the need for \$10,000 a week just in the Pittsburg area alone to keep people under threat of disconnection connected to their utilities until the end of the "cold weather rule."

This local effort, though commendable, is only helping drowning people to keep treading water. It is easy to keep this issue on the minds of the private donors when it is snowing and the wind chill is below zero. However, bills will still need to be paid when it warms in the Spring. Then, quietly and without fanfare, those of us who have fallen behind in our payments will, one by one, be disconnected by the utility companies.

Today, we turn to you for long-term relief. We are doing what we can to help our own. We can only do so much and only for the most vulnerable. Think of Mick and Bev... life long teachers with their beautiful retirement house in jeopardy. They will not ask for help and their need pales in comparison to most. Yet, they suffer. Only across the board change will relieve their burden and provide real assistance to the most vulnerable, as well.

Mr. Chairman, this is not a partisan battle. We all are affected, Democrat, Republican, and Independent, as well. I was asked to testify by Senator Barone of my district. We represent different political parties, yet we have and will continue to stand together on this issue. I beg of you to aid us in finding a bipartisan solution to this emergency.

Thank you for this opportunity. I will gladly attempt to answer any questions.

#



**Southeast Kansas Independent Living Resource Center**

**DAVE SORRICK**

Director of Development and Special Projects

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