

HOUSE BILL No. 2130

By Committee on Utilities

1-30

AN ACT concerning transmission of electric power; relating to siting of certain transmission lines; concerning recovery of certain costs of certain utilities; amending K.S.A. 66-1,180 and repealing the existing section.

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

Section 1. K.S.A. 66-1,180 is hereby amended to read as follows: 66-1,180. 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, taking into consideration the benefit to both consumers in Kansas and consumers outside the state and economic development benefits in Kansas.~~ The commission shall issue or withhold the permit applied for. ~~The commission and~~ may condition such permit as ~~the commission~~ 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.

New Sec. 2. (a) Any electric utility subject to the regulation of the state corporation commission pursuant to K.S.A. 66-101, and amendments thereto, may seek to recover any and all costs associated with the transmission of electric power ~~and energy to retail customers~~ through a separate transmission delivery charge included in customers' bills. The electric utility's initial transmission delivery charge resulting from this section shall be determined by the commission from transmission-related costs approved by the commission in the electric utility's most recent retail rate filing. If an electric utility elects to recover its transmission-related costs through a transmission delivery charge, the commission shall, effective the same date as the effective date of the initial transmission delivery charge, reduce the electric utility's retail rates to such a level that the sum of the revenue recovered from such retail rates and the

, in a manner consistent with the determination of transmission related costs from an order of a regulatory authority having legal jurisdiction,

Senate Utilities
March 20, 2003
Attachment 1-1