

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on March 6, 2007 in Room 241-N of the Capitol.

All members were present except:

Judy Morrison-excused

Committee staff present:

Mary Galligan, Kansas Legislative Research
Dennis Hodgins, Kansas Legislative Research
Mary Torrence, Revisor's Office
Jason Long, Revisor's Office
Renaë Hansen, Committee Assistant

Conferees appearing before the committee:

Bruce Snead, KSU
Ken Frahm, KEC Co-Chair
Dave Springe, CURB
John Strickler, Kansas Association for Conservation and Environmental Education
Laura Downey, Executive Director /Kansas Association for Conservation and Environmental Education
Paul Snider, KCPL
Mark Schreiber, Westar
Don Low, KCC
Joe Harkins
Leslie Kaufman, Kansas Cooperative Council
Martha Smith, KS Manufactured Housing
Luke Bell, Kansas Association of Realtors

Others attending:

Thirty-Four including the attached list.

HB 2526 **Monitoring and analysis of mercury deposition samples in Kansas.**

Representative Vaughn Flora moved to amend (Attachment 1), HB 2526. Representative Annie Kuether seconded the motion. Motion Carried.

Representative Annie Kuether moved to pass HB 2526 favorably as amended. Seconded by Representative Cindy Neighbor.

Discussion ensued by Representatives: Tom Sloan, Don Myers, Tom Hawk, Forrest Knox, Margaret Long, Terry McLachlan, Vaughn Flora, and Josh Svaty.

Motion carried.

Representative Vaughn Flora will carry **HB 2526** on the House floor.

Hearing on:

SB 128 **Requiring certain electric utilities to provide energy conservation information to consumers, establishing the energy conservation promotion education advisory group.**

CONTINUATION SHEET

MINUTES OF THE House Energy and Utilities Committee at 9:00 A.M. on March 6, 2007 in Room 241-N of the Capitol.

Proponents:

Dave Springe, CURB, (Attachment 2), presented testimony in support of **SB 128**. He noted his work on this bill on the Kansas Energy Council and some of the history of the bill from the Senate side of the Kansas legislature.

Questions were asked by Representatives: Tom Sloan.

Mark Schreiber, Westar, (Attachment 3) offered testimony in support of **SB 128**. Additionally, Westar asked for an amendment to this bill that would allow for cost recovery.

Ken Frahm, KEC Co-Chair, (Attachment 4), gave supporting testimony on **SB 128** noting why the Kansas Energy Council does support this legislation.

Questions were asked by Representatives: Tom Hawk, Tom Sloan, Carl Holmes, Cindy Neighbor, and Don Myers.

Questions were also answered by: Liz Brosius, Director, Kansas Energy Council, and Joe Harkins, KEC.

Vice-Chair Rob Olson took over the chairing of the meeting.

Bruce Snead, KSU, (Attachment 5), gave supporting testimony to **SB 128**, noting the issue is a long overdue mechanism to help educate consumers in the conservation efforts of the individual consumer. He commented that we should look at the wealth of information already available from other states if we begin implementing this legislation

John Strickler, and Dr. Laura Downey, Executive Director, Kansas Association for Conservation and Environmental Education (KACEE), (Attachment 6), offered supporting testimony for **SB 128** noting a suggestion for a change in the bill on page 2, line 13. Attached to his testimony are a list of members of the KACEE organization and a national report card on United States citizen's energy knowledge, attitudes and behavior.

Paul Snider, KCPL, (Attachment 7), spoke in support of **SB 128**, strongly advocating the promotion of energy efficiency.

Questions were asked and comments made by Representative: Rob Olson.

Neutral:

Don Low, KCC, commented verbally that the Kansas Corporation Commission does support **SB 128**. He noted the KCC does not support Westar's amendment.

Questions were asked by Representatives: Oletha Faust-Goudeau, and Tom Sloan.

Leslie Kaufman, Kansas Cooperative Council, (Attachment 8), offered neutral testimony on **SB 128** noting an amendment that was attached on the Senate side and are hoping that the amendment would stand.

Martha Smith, Kansas Manufactured Housing, (Attachment 9), offered neutral testimony on **SB 128** offering an amendment to **SB 128** striking "and conservation" on page one, line 19, making that section consistent with wording on page 2, Section 1(D)(2).

CONTINUATION SHEET

MINUTES OF THE House Energy and Utilities Committee at 9:00 A.M. on March 6, 2007 in Room 241-N of the Capitol.

Written Neutral:

Luke Bell, Kansas Association of Realtors (Attachment 10), offered written neutral testimony to **SB 128**.

Questions were asked and comments made by Representatives: Josh Svaty, Cindy Neighbor, Vern Swanson, Tom Sloan, Josh Svaty, Cindy Neighbor, Tom Moxley, Tom Hawk, Forrest Knox, Oletha Faust-Goudeau, Bill Light, Rocky Fund, Rob Olson, and Terry McLachlan.

Questions were also answered by Joe Harkins.

Hearing on **SB 128** was closed.

The next meeting is scheduled for March 7, 2007.

Meeting adjourned.

HOUSE BILL No. 2526

By Committee on Federal and State Affairs

2-14

9 AN ACT concerning monitoring and analysis of mercury deposition in
10 Kansas.

11 ~~Whereas, Mercury is highly toxic and persistent and bioaccumulates~~
12 ~~in the food chain and is transported through the atmosphere and deposits~~
13 ~~on land and water bodies; and~~

14 ~~Whereas, According to the United States Environmental Protection~~
15 ~~Agency (EPA), serious human health risks, known and unknown, may~~
16 ~~result from human exposure to mercury in any amount; and~~

17 ~~Whereas, Emissions from electric utility coal fired steam generating~~
18 ~~units and other industrial activities cause discharges of mercury in Kansas;~~
19 ~~and~~

20 ~~Whereas, Mercury emissions from other states and other nations also~~
21 ~~accumulate in Kansas and current estimates cited by the EPA are that~~
22 ~~less than half of all mercury deposition within the U.S. comes from U.S.~~
23 ~~sources; and~~

24 ~~Whereas, It is appropriate to study this pollutant. Now, therefore,]~~

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

26 Section 1. (a) The secretary of health and environment shall establish
27 a statewide atmospheric mercury deposition monitoring network to mea-
28 sure mercury deposition in Kansas. The network shall consist of no fewer
29 than six sites in Kansas. Mercury deposition samples shall be collected at
30 each site on a weekly basis and concentration, precipitation and other
31 pertinent values shall be recorded.

32 (b) The secretary of health and environment shall contract with a
33 laboratory that has demonstrated capability to perform appropriate anal-
34 ysis of the samples collected and to provide reports in a form acceptable
35 to the secretary. After analysis, data and analysis reports shall be provided
36 to the public through a website. Data also will be posted to a national
37 database designated by the secretary.

38 (c) The secretary of health and environment shall ensure that data
39 collected from the network and analyses of those data are made available
40 specifically to Kansas-based research institutes and scientists for explo-
41 ration of the impact of mercury on Kansas flora, fauna and human
42 population.
43

At least two such sites shall be located to measure mercury deposition entering the state from the direction of prevailing winds.

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ATTACHMENT 1-1

1 (d) On or before the first day of the regular legislative session in 2009
2 and each year thereafter, the secretary of health and environment shall
3 prepare and submit to the governor and the chairperson, vice-chairperson
4 and ranking minority member of each standing committee of the house
5 and of the senate having subject matter jurisdiction over utilities, envi-
6 ronment or natural resources, a report summarizing the findings of the
7 monitoring and analysis provided for by this section.

8 Sec. 2. This act shall take effect and be in force from and after its
9 publication in the Kansas register.

1-2

Citizens' Utility Ratepayer Board

Board Members:

Gene Merry, Chair
A.W. Dirks, Vice-Chair
Carol I. Faucher, Member
Laura L. McClure, Member
Douglas R. Brown, Member



State of Kansas

Kathleen Sebelius, Governor

David Springe, Consumer Counsel
1500 S.W. Arrowhead Road
Topeka, Kansas 66604-4027
Phone: (785) 271-3200
Fax: (785) 271-3116
<http://curb.kcc.state.ks.us/>

HOUSE UTILITIES COMMITTEE

S.B. 128 (as amended)

Testimony on Behalf of the Citizens' Utility Ratepayer Board

By David Springe, Consumer Counsel

March 6, 2007

Chairman Holmes and members of the committee:

Thank you for this opportunity to offer testimony on S.B. 128. The Citizens' Utility Ratepayer Board supports this bill for the following reasons:

SB 128 is a Kansas Energy Council recommendation aimed at creating statewide standards for use in energy education and energy conservation promotion. An "energy conservation education advisory group" under the direction of the Kansas energy office is created for the purpose of developing the education standards and guidelines envisioned by the bill. The bill requires the Kansas Corporation Commission to require all public utilities to deliver programs consistent with the standards developed.

CURB convened a special board meeting on September 25, 2006 to review our position and policy with regard to energy conservation and efficiency programs provided by jurisdictional utilities. At the meeting the Board indicated that it believes additional resources and additional effort should be directed towards energy conservation activities. Part of this policy is an acknowledgement that, while not every program will necessarily reduce every consumer's rate or reduce every consumer's use, the programs may still have value.

The energy education and conservation promotion program envisioned by this bill is an example of such program. Providing some standardization in material presented across jurisdictional boundaries and across targeted groups will benefit Kansas consumers. CURB also hopes that this process will help reduce costs to utility consumers by reducing the inefficiencies associated with each utility creating, staffing and promoting its own materials outside of a standard setting process.

CURB worked with all parties on appropriate amendments to this bill in the Senate. With one exception related to cost recovery, all parties were in agreement on the bill. With respect to our one disagreement, the Senate believed that cost recovery through the normal KCC process was appropriate. CURB supports passage of this bill as amended in the Senate.

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ATTACHMENT 2



MARK A. SCHREIBER
Director, Government Affairs

**Testimony of
Mark Schreiber
Director Government Affairs
Westar Energy
On Senate Bill 128
March 6, 2007**

Good morning Chairman Holmes and members of the committee, my name is Mark Schreiber. I am the Director Government Affairs for Westar Energy.

Westar Energy supports Senate Bill 128. The bill establishes an advisory group for the purpose of developing consistent, statewide energy efficiency and conservation information. The advisory group would then recommend performance measures and goals to monitor the effectiveness of these goals.

Every utility has encouraged its customers to use energy efficiently. This bill enhances that effort by developing uniform standards, requirements and guidelines for energy education. Although this advisory group will set the standards, utilities may still exceed those standards in order to reach certain customer segments, such as commercial and industrial users. Westar Energy formed an internal energy efficiency task force to evaluate our current energy efficiency and conservation activities and develop new ones. By coordinating a statewide effort, customers will be receiving a consistent message wherever they live and as they move within the state.

Westar Energy would like to offer amended language for the bill on page 3, lines 22 - 25. We would suggest amending the language in these lines so that it would read:

“ The state corporation commission shall assure cost recovery for the design, development, implementation, promotion, ongoing expenses and evaluation costs of these programs by the regulated utilities.”

If the regulated utilities are being required to follow the standards established by the state corporation commission's energy office, these utilities should be assured cost recovery.

Westar Energy supports SB 128 and would appreciate the committee's consideration of our suggested language. Thank you for the opportunity to address the committee this morning. I will be glad to stand for questions at the appropriate time.

**Testimony of the Kansas Energy Council to the
House Energy and Utilities Committee, March 6, 2007**

Presented by KEC Co-Chair Ken Frahm

SB 128

Mr. Chairman and members of the Committee, thank you for the opportunity to testify in support of this bill. As you know, this bill embodies one of the Council's recommendations in the 2007 *Kansas Energy Plan*.

We wholeheartedly support the concepts and language in this bill, which requires all Kansas electric utilities to deliver to their customers energy education and conservation promotion information that addresses all aspects of energy consumption, including electricity, natural gas, and transportation fuel consumption. We believe this is an important and necessary first step in the effort to promote the efficient use of the state's energy resources.

More specifically, the bill proposes that:

- Statewide requirements, guidelines, and standards for the education program will be developed by the Kansas Energy Office at the KCC, in consultation with an 18-member advisory group.

The KEC supports the additions to the membership that were introduced in the Senate.

We also suggest amending the bill to have the Governor, rather than the Energy Office, appoint the advisory group.

- Regulated utilities will develop and deliver their educational programs and pursue cost-recovery through the normal ratemaking process.
- Smaller municipal electric utilities and electrical cooperatives will be assisted in the development of the program by the Kansas Energy Office.

The Kansas Energy Council supports energy conservation as the cornerstone of State energy policy. We urge you to approve SB 128.

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ATTACHMENT 4

**Energy and Utilities Committee
Kansas House
Written Testimony of Bruce Snead**

Energy Efficiency Representative
Kansas Energy Council
State Extension Specialist in Residential Energy
Engineering Extension at K-State
Manhattan, Kansas
March 6, 2007

SB 128

Mr. Chair and members of the committee, thank you for the opportunity to testify on this bill. The bill is based on the 2007 Kansas Energy Plan Policy and Program recommendations presented to you on January 16. I support this bill with the amendments made by the Senate, and urge you to approve it as well. I also agree that having the Governor appoint the advisory group is appropriate and recommend that amendment.

What are the general purposes for enabling this energy education and conservation promotion effort? I believe it is important because it is long overdue, and it has the potential to:

- Increase utility customer awareness of opportunities for saving energy, the potential energy savings and net dollar savings they may deliver, and the resources available to them to assist in implementation of appropriate measures.
- Increase utility customer awareness of the availability of energy conservation measures in their community and utility service territory.
- Increase utility customer awareness of options for financing energy conservation improvements (or of accessing supported services if they meet income guidelines).
- Decrease statewide demand growth for electricity and natural gas, putting downward pressure on prices both now and in the future.
- Defer utility investments in new generation.
- Provide emission reductions generally associated with adoption of energy conservation practices.
- Increase utility customer satisfaction and goodwill toward the utility.

Additional comments regarding the bill and its proposals:

- It is a result of a year long KEC planning process with significant negotiation and discussion having occurred.
- It requires that all of the state's electric utilities participate.

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- Electric utilities are identified as the primary delivery mechanism because almost everyone has electric service, not all have natural gas or propane service.
- Information on all end uses and fuels should be considered, not just electricity.
- Statewide standards for program formulation, coordination and directed delivery will be most efficient in message and impact and allow for economies in promotion and marketing, which are essential to any program's success.
- Formulation of programs, curricula, measures and goals should use the wealth of existing materials, resources and lessons learned in other states and programs.
- A July 1, 2008 start date allows enough time to form Kansas specific standards, develop curricula for the specified audiences and sectors, and recommend performance measures and goals for the programs to enable program startup.
- Requiring reports beginning with the legislative session in 2010 allows only a year and a half of program operation to generate results, evaluate performance measures and progress towards goal outcomes. This is a minimum of time and some programs may be difficult to measure and see results in that period.
- The Kansas Energy Office, either by contracting with the state associations (Kansas Electric Cooperatives and/or Kansas Municipal Utilities), or with a non-profit or educational entity, may develop and administer programs for the municipal utilities and cooperatives that are consistent with the standards. This helps enable the tailoring of program effort to the wide range in size and capacity of municipal and cooperative utilities.
- Nothing in the bill prevents utilities from implementing other efficiency and conservation services.
- Cost recovery for the utilities to design, develop, implement, promote and evaluate programs will be through the normal rate making process.

I believe the Kansas Energy Office based in the KCC is the most logical administrative home for this program, and builds on existing capacity there.

Thank you for your interest and I will try to answer any questions.

Bruce Snead

810 Pierre St.

Manhattan, KS 66502

785-537-7260 Home 785-532-4992 Work email bsnead@ksu.edu

JOHN K. STRICKLER
1523 University Drive
Manhattan, KS 66502-3447
Phone: 785/565-9731
Fax: 785/532-3305
jstrickl@oznet.ksu.edu

March 6, 2007

TO: House Committee on Energy and Utilities
Representative Carl Holmes, Chair

FROM: John K. Strickler, Board Member, Kansas Association for Conservation and
Environmental Education (KACEE)

SUBJECT: Senate Bill 128

I am a retired forester who serves as a volunteer member on the Board of the non-profit Kansas Association for Conservation and Environmental Education (KACEE). I am speaking in support of Senate Bill 128 with the suggestion of one amendment for your consideration. In fifty years of working in the natural resource area, I have been convinced that better education is the key to dealing with the complex and often controversial issues associated with the environment including energy. The creation of an energy conservation education advisory group will help meet this need.

I would suggest one addition on page 2, line 13: adding *(17) one member to represent the Kansas association for conservation and environmental education*. Part of the charge to the energy conservation advisory group is to "develop separate energy conservation curricula for the general public, public school students, local governments, residential commercial and utility classes and the transportation sector." While the members suggested in the existing bill have expertise in a variety of areas related to energy, and the Kansas State University Division of Engineering Extension has expertise in energy conservation education for the general public, there are no interests currently represented that have any expertise in public school curriculum or education of youth like that KACEE can provide.

I have been involved with KACEE since it was formed in 1969. KACEE is an association of state, federal, and local agencies, schools and universities, non-profit organizations, businesses, and individuals committed to promoting effective, non-biased, science-based conservation and environmental education throughout Kansas. Currently, KACEE's diverse membership includes over 200 organizations and 250 individuals (attached is a list of the member organizations). KACEE's membership ranges from the Sierra Club to the Kansas Farm Bureau to Weststar Energy. The public/private partnerships represented by KACEE's diverse membership and network have allowed it to successfully support and deliver quality programs through a broad base of public and private funds.

KACEE does not become involved in specific environmental issues, but rather promotes a full understanding of environmental issues through the education process. The focus of the environmental education we promote is on processes that enhance critical thinking, problem solving, and effective decision making. We like to say that our goal in conservation and environmental education is not to teach young people "what to think, but rather how to think" about environmental issues. Energy education is integrated into many of the materials that KACEE promotes. I believe a representative of KACEE could provide valuable input to the purposes of this bill.

Attached to my testimony is a 2002 summary of findings on a national Roper Survey on energy knowledge, attitudes, and behavior conducted for the National Environmental Education and Training Foundation (full text available at www.neetf.org). Among the significant findings of this study is that

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“Three Americans in four rate themselves as having ‘a lot’ or ‘a fair amount’ of knowledge about energy, even though only 12% could actually pass a basic test on energy.” For example, only one third knew that most our electricity is produced by burning coal. By contrast, some 36% believe that hydroelectric power provides most of American’s electricity and a majority believe our electric power comes from sources that do not pollute the atmosphere. While I suspect that awareness and knowledge on these issues has increased in the past five years since this report, I’m not sure it has done so significantly. I would just ask you to consider the difficulties presented to you and our other public and private decision-makers by a public that thinks they know a lot about energy, but in reality, do not have a good level of basic knowledge about our complex energy issues. Developing a better informed general public begins with our youth.

Thank you for the opportunity to express our opinions regarding this bill.

KACEE MEMBERSHIP 2006

The broad-based membership of KACEE represents an extensive network and groups of partners to work within promoting effective environmental education throughout Kansas. KACEE membership numbered 224 organizations and 243 individuals in 2006. To join, please use the membership form on the back of this report.

<p>2006-2008 KACEE BOARD OF DIRECTORS</p> <p>Cindy Ford - President Pittsburg State University</p> <p>Schanee' Anderson - President-Elect Sedgwick County Zoo</p> <p>Rex Buchanan - Secretary Kansas Geological Survey</p> <p>John Strickler - Treasurer KACEE Fund Development Chair</p> <p>Kate Grover - Past President Hallmark Cards, Inc</p> <p>Dolores Daniels - At Large Kansas City Kansas Community College Campus Childcare Center</p> <p>Gary Keehn - At Large Jackson Heights High School</p> <p>Brad Loveless - At Large Westar Energy Green Team</p> <p>Bill McGowan - At Large Ernie Miller Nature Center</p> <p>Mike Rader - At Large Wilson State Park</p> <p>Kathy Sexson - At Large Lee Richardson Zoo</p> <p>John Shidler - At Large</p> <p>Steve Swaffar - At Large Kansas Farm Bureau</p> <p>Dea Turner - At Large State Conservation Commission</p> <p>Dennis Wilson - At Large Labette County, USD 506</p> <p>Kim Bomberger - Ex-Officio Kansas Forest Service</p> <p>Hank Ernst - Ex-Officio Kansas Water Office</p> <p>Jamie Gaggero - Ex-Officio Kansas Department of Health and Environment</p> <p>Heather Click - Ex-Officio Kansas State Department of Education</p> <p>VACANT - Ex-Officio Kansas Department of Wildlife and Parks</p> <p>Janet Waugh - Ex-Officio Kansas State Board of Education</p>	<p>Sandy Chandler Business Manager</p> <p>Jolene Amtower Office Manager</p> <p style="text-align: center;">COLLEGES AND UNIVERSITIES</p> <p>Baker University Biology Department</p> <p>Barton County Community College College Library</p> <p>Benedictine College Education Department</p> <p>Emporia State University Division of Biological Sciences</p> <p>Fort Hays State University Department of Biological Sciences</p> <p>Fort Hays State University Sternberg Museum of Natural History</p> <p>Friends University</p> <p>Kansas Biological Survey University of Kansas</p> <p>Kansas City Kansas Community College Campus Child Care Center</p> <p>Kansas City Kansas Community College Department Biological Sciences</p> <p>Kansas State University College of Education Secondary Education</p> <p>Kansas State University Horticulture Forestry & Recreation Resources</p> <p>Kansas State University Kansas Agricultural & Rural Leadership Program</p> <p>Kansas State University KELP</p> <p>Kansas State University PRIDE Program/Project PRIDE</p> <p>Kansas State University KCARE</p> <p>Kansas State University Office of Local Government</p> <p>Kansas State University Research and Extension Agricultural & Natural Resources</p> <p>Kansas State University Pollution Prevention Institute</p> <p>Pittsburg State University Department of Biology</p> <p>University of Kansas Center for Science Foundation</p> <p>University of Kansas Facilities Operations</p>	<p>University of Kansas Natural History Museum</p> <p>University of Kansas School of Education</p> <p>Wichita State University College of Education, C & I</p> <p style="text-align: center;">ORGANIZATIONS</p> <p>Acorn Naturalists</p> <p>Audubon of Kansas</p> <p>Blue River Watershed Association</p> <p>Bridging the Gap</p> <p>Earth Awareness Researchers for Tomorrow's Habitat E.A.R.T.H.</p> <p>Exploration Place Adolescent & Adult Education</p> <p>Friends of Finney Game Refuge</p> <p>Golf Course Superintendents Association of America</p> <p>Grassland Heritage Foundation</p> <p>Great Plains Society of American Foresters</p> <p>Hillsdale Water Quality Project</p> <p>Kansas Alliance for Wetlands & Streams</p> <p>Kansas Arborists Association</p> <p>Kansas Association of Teachers of Science (KATS)</p> <p>Kansas Association of Biology Teachers</p> <p>Kansas Cattlewomen</p> <p>Kansas City Zoo</p> <p>Kansas Earth Science Teachers Association</p> <p>Kansas Energy Council</p> <p>Kansas Geographic Alliance Fort Hay State University</p> <p>Kansas Geological Foundation</p> <p>Kansas Natural Resource Council</p> <p>Kansas Park Trust</p> <p>Kansas Recreation and Park Association Kansas Sierra Club</p> <p>Kansas Tree Farm Committee Kansas Forest Service</p> <p>Kansas Underground Salt Museum</p> <p>Kansas Wildlife Federation</p> <p>Kansas Wildscape Foundation</p> <p>Kaw Valley Heritage Alliance</p> <p>Kansas Streamlink</p>	<p>KCEEN/Mid-America Regional Council</p> <p style="text-align: center;">KIPCOR</p> <p>Konza Prairie Biological Station</p> <p>Mid-America Association of Conservation Districts</p> <p>National Wildlife Federation</p> <p>Ogallala Aquifer Institute</p> <p>Operation Brightside, Inc</p> <p>Pheasants Forever</p> <p>Playa Lakes Joint Venture</p> <p>Project Learning Tree - Kansas</p> <p>Project WET - Kansas</p> <p>Project WILD - Kansas</p> <p>Rock Springs 4-H Camp</p> <p>Rolling Hills Wildlife Adventure</p> <p>Safari Club International Kansas City</p> <p>Science Pioneers, Inc.</p> <p>Southeast Kansas Nature Center Of Galena Schermorhorn Park</p> <p>State Association of Kansas Watersheds</p> <p>Sunflower RC & D Area, Inc</p> <p>The Nature Conservancy</p> <p>The Watershed Institute, Inc</p> <p>Topeka Audubon Society</p> <p>Wildwood Outdoor Education Center</p> <p>Wonderscope Children's Museum</p> <p>Youth Friends of Kansas City Kansas</p> <p style="text-align: center;">FEDERAL, STATE & LOCAL AGENCIES</p> <p>Board of Public Utilities Kansas City Kansas</p> <p>Bourbon County Conservation District</p> <p>Brown County Conservation District</p> <p>Butler County Conservation District</p> <p>City of Overland Park</p> <p>City of Overland Park Arboretum & Botanical Gardens</p> <p>City of Rossville</p> <p>City of Salina Household Hazardous Waste</p> <p>City of Topeka Department of Public Works/Water Division</p> <p>City of Topeka Water Pollution Control</p>
<p style="text-align: center;">KACEE STAFF</p> <p>Laura Downey Executive Director</p> <p>Shari Wilson Special Projects Coordinator</p> <p>Beth Carreno Coordinator of Education Programs</p> <p>Melissa Arthur Coordinator Statewide Water Celebrations and Outreach</p>			

City of Wichita
WATER Center

Clay County Conservation District
Cowley County Conservation District
Crawford County Conservation District
Dickinson County Water
Improvement Program
Dickerson County Conservation District
Dillon Nature Center
Douglas County Conservation District
Dyck Arboretum of the Plains
Ellis County Conservation District
Finney County Conservation District
Flint Hills RC & D
Franklin County Conservation District
Geary County Conservation District
Grant County Conservation District
Gray County Conservation District
Great Plains Nature Center
Harvey County Conservation District
Jackson County Conservation District
Jefferson County Conservation District
Johnson County Conservation District
Johnson County Park & Recreation District
Ernie Miller Nature Center
Kan-Ed
Kansas Association of Conservation Districts
Kansas City District Corps of Engineers
Milford Lake Project Office
Kansas City Kansas Public Library
Kansas Corporation Commission
Kansas Department of Agriculture
Public Information Office
Kansas Department of
Commerce and Housing
Kansas Department of
Health & Environment
Bureau of Environmental Field Services
Kansas Department of Wildlife & Parks
Kansas Forest Service
Kansas State University
Kansas Geological Survey
University of Kansas West Campus
Kansas Rural Water Association
Kansas State Department of Education
Kansas State Historical Society
Kansas Water Office
K-State Research & Extension
Reno County
Kickapoo Environmental Office

Lane County Conservation District
Lee Richardson Zoo
Marshall County Conservation District
Milford Nature Center
Miami County Conservation District
Mitchell County Conservation District
Natural Resource Conservation Service
Nemaha County Conservation District
Neosho County Conservation District
Ness County Farm Service Agency
Ness County Conservation District
Osage County Conservation District
Phillips County Conservation District
Pottawatomie County Conservation District
Prairie Park Nature Center
Quivira National Wildlife Refuge
Rawlins County Conservation District
Riley County Conservation District
Rush County Conservation District
Salina Parks & Recreation
Lakewood Discovery Center
Saline County Conservation District
Sedgwick County Zoo
Shawnee County Conservation District
Shawnee County
Recycling Department
Soil & Water Conservation Society
Kansas Council of Chapters
State Conservation Commission
Sunset Zoological Park
Thomas County Conservation District
Topeka Zoo
Friends of Topeka Zoo
Twin Lakes Water Quality Project
US Environmental Protection Agency Region
7 Environmental Education
US Fish and Wildlife Service
US Geological Survey
Water Resource Division
USDA Forest Service
Cimarron National Grasslands
Wabaunsee County Conservation District
Washington County Conservation District
Wilson County Conservation District
Wyandotte County Conservation District
BUSINESS AND INDUSTRY
Bass Pro Shops
BRB Contractors, Inc.

Bucher Willis & Ratliff Corp
Chapman Creek Cattle Co
Chatter's Restaurant
Coleman Company Inc
Crawford County Convention &
Visitors Bureau
Deffenbaugh Industries, Inc
Downey Ranch, Inc
Educational Credit Union
Family Books at Home
Hutchinson Convention Visitors Bureau
Independent Insurance Agents
Integrated Solutions, Inc
Kansas Agribusiness Retailers Association
Kansas Chamber of Commerce & Industry
Kansas Farm Bureau
Natural Resources Division
Kansas Gas Service
Kansas Land Improvement
Contractors Association
Kansas Petroleum Council
Koch Industries, Inc
Mid-America Lumbermens Association
Midwest Energy
Monarch Cement Company
Nestle Waters of North America
Salt Institute
Schlitterbahn Vacation Village
Science City at Union Station
Shawnee County Farm Bureau
Sprint
Sunflower Diversified Services
1st Step Recycling
Tall Oaks Conference Center
Taylor & Associates, Inc
The Development Company
The Pathfinder
Vulcan Chemical Company
Westar Energy
Western Resources/KGE
Wolf Creek Nuclear
Operating Corporation
**ELEMENTARY AND SECONDARY
EDUCATION**
Central Middle School
John Dewey Learning Academy

Kickapoo Nation School
Lawrence Public Schools #497
Morse Elementary School
Smokey Hill Education Service Center
South Central Kansas
Educational Service Center
USD #202 Turner
USD #229
Blue Valley School District
USD #233 Olathe District Schools
USD #307
Ell-Saline High School
USD #335 North Jackson
Jackson Heights High School
USD #340 Jefferson West
Jefferson West Elementary
USD #355
Ellinwood Grade School
USD #495
USD #500 Kansas City
USD #500 Kansas City
Professional Development Center
USD #506 Labette County
West Indianola Elementary School
Wichita West High School

INDIVIDUAL MEMBERS

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Know someone who ought to
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Americans' Low "Energy IQ:" A Risk to Our Energy Future

Why America Needs a Refresher Course on Energy

The Tenth Annual National Report Card:
Energy Knowledge, Attitudes, and Behavior

August 2002

The National Environmental Education & Training Foundation • Roper ASW

Summary – America's Low "Energy IQ" and Our Energy Future

The 2001 National NEETF/Roper Report Card is our tenth study. It has a special focus on energy usage, conservation, and education. It is based on a nationally representative sample of 1,503 Americans, age 18 and older, surveyed by RoperASW in August and September 2001 by telephone. The questions in the survey are aimed at revealing overall public attitudes toward such issues as the role of government in regulating and educating the public on energy usage, how much people are willing to conserve energy as individuals, and the public's basic knowledge of energy issues.

The survey's knowledge questions cover simple topics that the average person would be likely to come across in the news or through consumer information. The questions are in a multiple-choice format with a correct answer, a plausible incorrect answer, and two non-plausible answers. Our findings:

1. America Gets a Failing Grade on Energy Knowledge

Just 12% of Americans can pass a basic quiz on energy knowledge. Thirty years after the nation's worst energy crisis, just one in eight Americans can correctly answer such questions as how most of our electricity is generated, whether gas mileage is rising or falling, and what the fastest growing sector of the economy is with regard to energy consumption.

2. Most Americans Overestimate Their Energy Knowledge

The 2001 survey asked people to rate their knowledge of energy issues and problems. The results show that many Americans overestimate their knowledge of energy. Three Americans in four rate themselves as having "a lot" or "a fair amount" of knowledge about energy, even though only 12% could actually pass a basic test. This compares to about one-third of Americans who showed a passing understanding of general environmental issues in previous years' surveys. Just one in 100 adults received a grade of "A" on the

energy quiz, answering at least 9 of the 10 questions correctly. This gap between real and imagined knowledge could stand in the way of Americans' realizing a more energy efficient future.

3. Important Public Discussions Are Thwarted by America's Poor Energy IQ

Average Gas Mileage – In the past ten years the average number of miles achieved by vehicles in America has decreased. Amazingly, just 17%, or one in six adult Americans, are aware of this. Two-thirds of Americans fail to recognize that the transportation sector is the largest petroleum user in the U.S.

Rolling Blackouts and Electricity Usage – The public knows too little about the causes of electricity shortages such as occurred in California in the summer of 2001. Although two out of three Americans (66%) are aware that home heating and cooling are a major power drain, there is much less understanding that smaller, often energy-intensive, businesses are also a very large part of our energy demand.

Energy Security, Imports, and ANWR – When the cost of gasoline dramatically increased in 2001, discussions of reliance on oil imports versus developing U.S. reserves (such as those underlying the Arctic National Wildlife Refuge in Alaska) came to a head. Since then gas prices have dropped. However, the terrorist attacks of September 11, 2001, have brought a new sense of urgency to the discussion. A majority (52%) of Americans know that the bulk of our oil is imported. But that seems to be where knowledge of this issue stops.

Conservation vs. Development: Understanding the Timing Factor – Some of the public appeal in developing new energy sources may come from the idea that these sources could become available quickly. But oil exploration, dam building, and power plant construction all take time – from five to fifteen years. Scientists and technicians agree that the quickest way to address short-run energy needs is to conserve fuel and electricity. Just two in five Americans (39%) recognize this.

Climate Change and Carbon Gases – Much of the U.S. discussion of climate change concerns the effects that carbon emissions from organic fuel consumption have on the atmosphere. The survey shows that just 36%, or one in three Americans, know that most of our electricity is produced by burning coal. By contrast, some 36% believe that hydroelectric power provides most of America's electricity and a majority believe our electric power comes from sources that do not pollute the atmosphere.

Yucca Mountain and Nuclear Fuel Waste – There are now about 40,000 tons of spent nuclear fuel in the United States. Nuclear fuel "rods" quickly lose their heat-generating capacity but remain radioactive for thousands of years. There has never been a permanent and accepted way to dispose of these spent fuel rods, so they are kept on site at power plants. Concerns have been raised over the vulnerability of various power plant repositories to aerial terrorist attack. Currently, public discussion is focused on using an underground

storage site in Nevada at Yucca Mountain. Half of the public is unaware of this issue while 47% know that fuel rods are stored and monitored at the various plant sites.

4. Americans Overwhelmingly Want to Learn How to Address Energy Problems

Americans support energy education. They want it to begin in childhood and to extend into adulthood. The vast majority of the public agrees not only that energy conservation should be taught in our schools (90%), but also that government agencies (88%) and private companies (84%) need to place greater emphasis on educating adults to solve energy problems. Even a majority of those who say there are already too many environmental laws believe that more energy education is needed.

5. Americans Feel That a Sound Economic Future Depends on Good Energy Management

Some 91% of Americans agree that energy conservation will play an increasingly important role in the nation's economic future. Most scientific and economic experts say that a sound economic future is tied to our effective management of energy needs. The public instinctively has the same perception. Similarly, last year, nine in ten Americans felt that the condition of the environment will play an increasingly important role in the nation's economic future. Clearly, Americans see energy as a factor that needs to be in synergy with the economy.

6. Americans Feel We Can Balance Conservation and Economic Development

The 2001 NEETF/Roper Survey finds that 73% of Americans believe that energy conservation and economic development can go hand in hand. Separately, 60% say they would choose energy conservation over the economy if forced to select one or the other. The relationship between the two positions is similar to the comparison in past years between environmental protection and the economy.

7. Support for Environmental and Energy-Related Laws Continues

In 2001, more Americans continue to hold the view that regulation has "not gone far enough" (44%) than feel that current laws have struck "about the right balance" (30%) or that current regulations "go too far" (21%). However, for the first time in five years, the proportion saying current regulations go too far has increased. Still, Americans express greater support for regulations when focusing on specific issues. Though fewer than half (44%) say that environmental laws overall have not gone far enough, at least six in ten say that environmental laws and regulations to prevent water pollution (69%), air pollution (63%), and conserve energy (60%) do not go far enough.

8. Most Americans Want to Reduce Personal Energy Consumption

The public performs activities each day that benefit the environment or conserve energy. The simplest behaviors continue to top the list: 89% report that they frequently turn off lights and electrical appliances when not in use. Majorities also report that they frequently lower the thermostat in the winter to conserve energy; recycle newspapers, cans, and glass; and reduce the use of air conditioning in the summer to conserve energy. These activities also save people money, and that may also be a factor in how often people engage in them.

9. Energy Knowledge Positively Correlates with Key Energy-Saving Activities

As in previous years, actual knowledge, i.e., the number of correct answers scored on the energy and environment quiz, correlates with the likelihood of participating in energy- and environmentally-friendly activities. The top three activities – turning off lights, lowering the thermostat in winter, and recycling newspapers and cans – are each performed more frequently by those who do well on the quiz than by those who do poorly.

Higher levels of knowledge of energy production, consumption, and conservation (as measured by the number of correct answers to the quiz section) have a positive effect on the likelihood of engaging in day-to-day activities that directly or indirectly conserve energy or benefit the environment. Increasing energy and environmental knowledge for all Americans should further help the public to understand the benefits of conserving energy.

10. America's Low "Energy IQ" Puts Our Energy Future at Risk

We face too many crucial issues and potentially negative consequences to ignore the implications of energy illiteracy. Energy illiteracy means that Americans are less likely to make energy-smart decisions about their homes, transportation, and workplaces. Energy illiteracy also keeps us reliant on imported oil.

Fortunately, with improved energy literacy we can achieve a reduction in fuel usage, as homes and vehicles will be run more efficiently, and we will cope better with our energy-consumptive technological future.

We need to begin with the younger generations. For five of seven energy-saving activities mentioned in the survey, the rate of performing the activity increases with age. This is most evident for accelerating slowly to conserve gasoline when driving, purchasing lamps and appliances that are energy-efficient, and recycling items such as newspapers, cans, and glass. This is a pattern that will need to be watched closely to ensure that younger adults remain engaged in conservation activities.

Recommendation:

Employ Energy Education to Reduce Average Consumption by 3% in Three Years

Will a "refresher course" on energy help? An assertive, well funded, nationwide effort to educate or re-educate Americans on energy management and conservation could expeditiously reduce average energy consumption by 3%, a small number that is large in its implications. This would save \$20 billion in annual public expense and reduce U.S. dependency on foreign oil by 18 million gallons each day or 6.5 billion gallons a year.

The Summer 2001 California energy emergency taught us that public awareness efforts can reduce energy use. California's "Kill-a-watt" education program helped bring about a 6% to 12% reduction in energy usage. If we were to modestly suggest that, through an assertive new nationwide "refresher course," one-half to one-fourth of that amount of energy (3%) could be saved, that would mean an average savings of 33 million gallons of petroleum a day (about 12 billion gallons a year) and 114 billion kilowatts of electric power, or enough to power an average-sized state. Such a public education effort could save at least \$20 billion a year in costs to households and small businesses. The average small business, for example, would save about \$2,000 per year with a 3% reduction in energy usage.

**Testimony of Paul Snider
Before the House Energy and Utilities Committee
In Support of Senate Bill 128
March 6, 2007**

Kansas City Power & Light supports the Kansas Energy Council's efforts to promote energy efficiency and conservation in Kansas.

KCP&L has spent the last several years strongly advocating the promotion of energy efficiency, as evidenced by its Comprehensive Energy Plan that includes a variety of affordability, energy efficiency and demand response programs. Since approval of KCP&L's Comprehensive Energy Plan by the Kansas Corporation Commission in 2005, energy efficiency has received an increased level of attention and national focus.

Senate Bill 128 will allow the creation of an advisory group to work with the Kansas Energy Office and the Kansas Corporation Commission to implement standards for energy efficiency education efforts. An important part of the legislation is the flexibility it affords utilities to tailor education efforts to its own customers.

KCP&L hopes to meet a portion of our future load growth through energy efficiency. Accomplishing this goal will take a great deal of education, both to our customers and policy makers, about the positive effects energy efficiency programs can have.

We support Westar Energy's proposed amendment to subsection (h) on page 3, lines 22-25. This clarifying amendment would ensure utilities are able to recover costs that are prudently incurred to comply with this bill.

Kansas City Power & Light looks forward to sharing our positive experiences with the newly formed advisory group and other stakeholders. Changing behavior takes time and consistent education and the sooner you get started, the better. That's why KCP&L supports the passage of SB 128.

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Paul Snider – KCP&L
Manager, Kansas Government Affairs
816-556-2111; paul.snider@kcpl.com

ENERGY AND HOUSE UTILITIES

DATE: 3/6/2007

ATTACHMENT 7



816 SW Tyler St., Ste. 300
Topeka, Kansas 66612
Phone: 785-233-4085
Cell: 785-220-4068
Fax: 785-233-1038
www.kansasco-op.coop

House Energy & Utilities Committee

March 6, 2007

Topeka, Kansas

SB 128 - Energy conservation advisory group.

Chair Holmes and members of the House Energy & Utilities Committee, thank you for the opportunity to comment on SB 128 establishing the energy conservation advisory group. I am Leslie Kaufman and I serve the Kansas Cooperative Council as Executive Director.

The Kansas Cooperative Council represents all forms of cooperative businesses across the state -- agricultural, utility, credit, financial and consumer cooperatives. Approximately half our members are involved in agriculture co-ops. As farmer cooperatives, they are owned and controlled by their ag producer members. Our agribusiness members, as well as their individual producer members, span the gamut relative to the types of energy they use and the various sectors they fall into: industrial, commercial, residential and transportation.

As we looked at SB 128, it struck us that the advisory group, under the original bill, did not have representation from the groups that would ultimately be targeted under the bill. Agricultural production carries with it some very unique energy use issues. As such, we felt it important to have a representative on the advisory group.

Although we appear neutral on the bill as a whole, we support the inclusion of the agricultural representative now included in SB 128 and encourage you to retain that position. We would also encourage that "agriculture production" cover not only producers, but grain handlers, processors and ag in-input providers. Thank you.

ENERGY AND HOUSE UTILITIES
DATE: 3/6/2007
ATTACHMENT 8



3521 SW 5th Street
Topeka, KS 66606
785-357-5256
785-357-5257 fax
kmha1@sbcglobal.net

**TESTIMONY
BEFORE THE
HOUSE COMMITTEE
ENERGY AND UTILITIES**

TO: Representative Carl Holmes, Chairman
Representative Rob Olson, Vice Chairman
And Members of the Committee

FROM: Martha Neu Smith, Executive Director
Kansas Manufactured Housing Association

DATE: March 6, 2007

RE: SB 128 – Establishing the Energy Conservation Education Advisory Group

Vice Chairman Olson and Members of the Committee, my name is Martha Neu Smith and I am the Executive Director of the Kansas Manufactured Housing Association (KMHA). KMHA is a statewide trade association, which represents all facets of the manufactured housing industry (i.e. manufacturers, retailers, community owners and operators, finance and insurance companies, service and suppliers and transport companies) and the modular housing industry (i.e. manufacturers and retailers). I would like to thank you for the opportunity to comment on SB 128.

KMHA would like to offer the attached amendment to SB 128. The amendment strikes the words "and conservation" on page one, line 19 of the bill. This change clarifies that the Kansas Energy Office of the State Corporation Commission will not develop conservation standards. That is important for the housing industry because conservation standards are addressed through building codes and building codes are adopted at the local level. Not to mention, the suggested change also makes Section 1 (a) consistent with page 2, Section 1(D)(2).

This change would not affect the Corporation Commission's ability to deliver energy conservation promotion programs.

Again, thank you for the opportunity to comment and please consider the attached amendment when SB 128 is worked in Committee.

ENERGY AND HOUSE UTILITIES
DATE: 3/6/2007
ATTACHMENT 9-1

SENATE BILL No. 128

By Committee on Utilities

1-19

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

14
15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. (a) The state corporation commission shall ~~develop and~~
17 ~~administer a program requiring~~ **require** all electric public utilities doing
18 business in Kansas to deliver energy education and conservation promo-
19 tion programs that are consistent with ~~education and conservation~~ stan-
20 dards developed by the Kansas energy office of the state corporation
21 commission. The Kansas energy office of the state corporation commis-
22 sion ~~shall~~ **may** administer such program for municipal electric utilities
23 and electric cooperative utilities.

24 (b) There is hereby created the energy conservation education advi-
25 sory group for the purpose of developing statewide requirements, stan-
26 dards and guidelines for the energy education and energy conservation
27 promotion programs pursuant to this section.

28 (c) The energy conservation education advisory group shall be ap-
29 pointed by the Kansas energy office and shall consist of:

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



To: House Energy and Utilities Committee

From: Luke Bell, KAR Director of Governmental Relations

Date: March 6, 2007

Subject: **SB 128** – Requiring Electric Public Utilities to Deliver Energy Education and Conservation Programs to Consumers

Chairman Holmes and members of the House Energy and Utilities Committee, thank you for the opportunity to submit neutral testimony on **SB 128** on behalf of the Kansas Association of REALTORS®. KAR is a trade association which has faithfully represented the interests of over 10,000 real estate professionals in the state of Kansas for the last 85 years.

SB 128 would require the Kansas Corporation Commission (KCC) to require that all public utilities doing business in the state of Kansas to deliver energy education and conservation promotion programs that are consistent with the education standards developed by the Kansas Energy Office of the KCC. However, when **SB 128** was worked by the Senate Utilities Committee, language was added which would grant the KCC the authority to develop energy education and conservation standards.

KAR strongly believes that the underlying intent behind **SB 128** is not to allow the KCC to have the authority to preempt the role of local governments in setting energy conservation standards for residential construction. Therefore, in order to reinforce the intent behind **SB 128** and protect the ability of local governments to adopt energy efficiency standards that fit the particular needs and requirements of their respective areas of the state, KAR would urge the committee to strike the words "and conservation" on page 1, line 19 of **SB 128**.

In addition, **SB 128** also would create the Energy Conservation Education Advisory Group to assist the Kansas Energy Office in developing standards and guidelines for the program. This 18-member group would be made up of the various industries, utilities and public officials which have an instrumental stake in this process. At the urging of various parties which represent the residential construction, factory-built housing, real estate and agricultural industries, the Senate Utilities Committee expanded the advisory group to include representatives of the various industries which are also heavily involved in this area of public policy. KAR would urge you to retain these additional advisory group members so that these industries will have a voice in this process.

ENERGY AND HOUSE UTILITIES
DATE: 3/6/2007
ATTACHMENT 10

785.267.3610
VOICE

800.366.0069
TOLL FREE

785.267.1867
FAX

3644 SW Burlingame Rd
Topeka, Kansas 66611
www.kansasrealtor.com