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MEMORANDUM

To: Senate Committee on Utilities
From: Office of Revisor of Statutes
Date: March 21, 2023
Subject: Bill Brief – SB 278

Public Utility Reporting Requirements

Senate Bill 278 would require public utilities to submit monthly reports to the Kansas Corporation Commission concerning customer assistance programs, delinquent accounts and customer disconnections. Each public utility would be required to report and publicize the following information:

- The total number of utility customers and the amounts that were billed and collected from customers;
- The average amount of energy used by, billed to and collected from customers;
- The number of customers that receive assistance under the utility's customer assistance program;
- The number of customers that were disconnected from the utility due to a delinquent account;
- The number of customers whose service was reconnected;
- The average amount of time between customer disconnections and reconnections;
- The number of customers who are otherwise eligible for disconnection but were not disconnected due to the utility's medical protection program, extreme weather protection program, or other voluntary or mandated disconnection moratorium;
- The number of customers charged late fees, reconnection fees, or other penalties and the average amount of each such fee or penalty;

- The number of customers in arrears and the total amount and average customer amount owed;
- The number of customers in deferred payment agreements, in default under a deferred payment agreement, and the average length of the repayment term for such customers;
- The total dollar amount attributable to customers in arrears and the average amount of arrears for customers subject to a deferred payment agreement;
- The number of customers whose account was reported to a third-party debt collection service and the number who were notified by the utility that their account was reported to a third party for debt collection;
- The number of customers whose account was reported to a credit reporting agency and the number of customers notified by the utility that their account was reported to a credit reporting agency; and
- The number of liens placed, sold or enforced on real property due to a delinquent account.

SB 278 would also require public utilities to file an annual report to the Kansas Corporation Commission containing:

- A description of the utility's customer assistance programs, eligibility criteria, available budget, and any recent revisions to the program.
- The public utility's benchmarks, goals or targets concerning customer assistance programs and the utility's performance on such benchmarks during the year.
- The public utility's policies and procedures concerning service disconnections and debt collections.
- The public utility's contents and methods of communications to customers concerning customer assistance programs, service disconnections, debt collections, and customer protection programs.

Kansas Corporation Commission Reporting Requirements

SB 278 would require the Kansas Corporation Commission to publish an annual report that summarizes the information and data reported by public utilities. As part of such annual

report, the Commission would be required to provide an assessment of the impact of the utility's policies and procedures concerning customer assistance programs, delinquent accounts and customer disconnections and an assessment of whether certain customers are disproportionately impacted by such policies and procedures based on zip code, income level or race. The Commission must also evaluate whether additional data should be reported or whether further investigation by the commission or other public officials would be warranted.

On or before July 30, 2024, the Commission would be required to open a docket proceeding to require utilities to report historical data concerning customer assistance programs, disconnections, reconnections, delinquent accounts, and other information. Within 30 days following such proceeding, the commission would be required to publish a report containing a summary of the reported historical information and an assessment of such information.

SB 278 would authorize the Commission to establish an alternative reporting schedule and requirements for any small public utility if the reporting requirements contained in SB 278 would result in unreasonable rate impacts to customers of the public utility. Such a utility would only be required to report certain information and would not be required to report all the information required pursuant to SB 278.