

SESSION OF 2025

SUPPLEMENTAL NOTE ON SENATE BILL NO. 92

As Amended by House Committee on Energy,
Utilities and Telecommunications

Brief*

SB 92, as amended, would increase from 120 days to 180 days the time in which the Kansas Corporation Commission (KCC) must issue a final order on an electric transmission line siting permit application after the date the application was filed.

The bill would also express the intent of the Legislature that, when a public utility files an application for an electric transmission line siting permit, consistent with the KCC's customary practices, the KCC would be required to:

- Issue a final order on the application in an expeditious manner; and
- When circumstances allow, attempt to issue the final order in a period of time that is less than the 180-day deadline.

Background

The bill was introduced by the Senate Committee on Utilities at the request of a representative of the KCC.

Senate Committee on Utilities

In the Senate Committee hearing, **proponent** testimony was provided by a representative of the KCC, who indicated

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

the bill would improve the KCC's evaluation of a transmission line siting application by allowing more opportunity for landowner input and involvement in the process. The representative explained transmission lines take several years to plan and construct, noting that Southwest Power Pool takes 37 months to study transmission systems, identify and construct priority transmission lines, and issue a Notice to Construct (NTC), which are often measured in multiple years once issued. The representative stated adding 60 days to the KCC's timeline to evaluate proposed transmission routes in Kansas will not materially affect these timelines.

Written-only proponent testimony was provided by representatives from the Citizens' Utility Ratepayer Board, Kansas Livestock Association, and Kansas Farm Bureau.

Neutral testimony was provided by representatives of Evergy and Kansas Electric Cooperatives (KEC). The representative of Evergy indicated the bill has the potential to affect electric reliability, noting the extra 60 days could make a difference in the competition for transformers, conductors, and labor, and extending the approval process is an additional barrier to timely completion of any new or extended transmission line that is 230 kilovolts (kV) and above and greater than 5 miles in length. The representative suggested applying the bill to 345 kV lines greater than 5 miles in urban areas but increasing the rural distance to 20 or 50 miles, or only having the 180 days apply if the line is not classified as a Reliability or Economic Development project. The representative also suggested, should the bill move forward, a discretionary extension of up to 60 days. The representative from KEC indicated the KEC is neutral on the bill because of the entity's understanding that the business conducted through line siting dockets is complicated, but also acknowledges concerns about price impacts stemming from an additional 60 days.

Written-only neutral testimony was provided by a representative of ITC Great Plains.

No other testimony was provided.

Following discussion on the bill on February 13, 2025, the Senate Committee recommended the bill be placed on the Consent Calendar.

House Committee on Energy, Utilities and Telecommunications

In the House Committee hearing, there was no in-person testimony. [Note: The House Committee heard HB 2040, which mirrors SB 92, on January 30, 2025.]

Written-only proponent testimony was provided by representatives of the Citizens' Utility Ratepayer Board, KCC, Kansas Farm Bureau, and Kansas Livestock Association.

Written-only neutral testimony was provided by a representative of Evergy, who requested the Committee consider an amendment to encourage the KCC to act as expeditiously as possible in transmission line siting dockets.

No other testimony was provided.

The House Committee amended the bill to express the intent of the Legislature that, when a public utility files an application for an electric transmission line siting permit, consistent with the KCC's customary practices, the KCC would be required to:

- Issue a final order on the application in an expeditious manner; and
- When circumstances allow, attempt to issue the final order in a period of time that is less than the 180-day deadline.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the KCC indicates enactment of the bill would have no fiscal effect.

Kansas Corporation Commission; transmission lines; transmission line siting; siting permits; high-voltage transmission line