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**Testimony of Westar Energy  
Before the Senate Utilities Committee  
On SB 419  
February 15, 2012**

Good afternoon Chairman Apple and members of the committee. Thank you for the opportunity to provide neutral testimony on SB 419.

This bill is straight forward as to what it wants to accomplish, which is to determine the aggregate statewide retail rate impact for utilities meeting the state's renewable energy standard. Westar Energy does not object to the reporting. Although the intent is clear, the statutory language to describe how to pull together the data can be confusing. Thus, we would like to offer the attached amendment to have the KCC adopt the appropriate language through rules and regs or by Commission order for how this report is created.

Kansas has basically four different types of electric power companies, investor-owned utilities (e.g. Westar Energy), retail electric cooperatives (e.g. Lane-Scott Electric Cooperative), wholesale G&T cooperatives (e.g. KEPCo) and municipals (e.g. BPU). Developing clear, concise language within a statute for these entities to report a rate impact is difficult and we believe that allowing the KCC to complete that task would make the process easier.

Thank you again for the opportunity to testify.

SENATE BILL No. 419

By Committee on Utilities

2-10

1 AN ACT concerning energy; relating to renewable energy resource  
2 investment; amending K.S.A. 2011 Supp. 66-1260 and repealing the  
3 existing section.  
4

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

6 Section 1. K.S.A. 2011 Supp. 66-1260 is hereby amended to read as  
7 follows: 66-1260. (a) (1) For each affected utility, the commission shall  
8 determine whether investment in renewable energy resources required to  
9 meet the renewable portfolio requirement, as required by K.S.A. 2011  
10 Supp. 66-1258, and amendments thereto, causes the affected utility's total  
11 revenue requirement to increase one percent or greater.

12 (2) *The commission shall annually determine the annual statewide*  
13 *retail rate impact shall be determined net of new nonrenewable alternative*  
14 *sources of electricity supply reasonably available at the time of the*  
15 *determination resulting from affected utilities meeting the renewable*  
16 *portfolio requirement.*

17 (b) *In fulfilling the requirements of subsection (a), information*  
18 *pertaining to an affected utility's portfolio requirement may be submitted*  
19 *by an affected utility that:*

20 (1) *Generates and sells electricity to that affected utility for all*  
21 *electricity sold to such utility; or*

22 (2) *transmits or distributes electricity to its cooperative members in*  
23 *one report on behalf of all such members.*

24 (c) *Beginning in 2013, on or before March 1 of each year, the*  
25 *commission shall submit a report of the annual statewide retail rate*  
26 *impact for the previous year to the governor; the senate committee on*  
27 *utilities and the house committee on energy and utilities.*

28 Sec. 2. K.S.A. 2011 Supp. 66-1260 is hereby repealed.

29 Sec. 3. This act shall take effect and be in force from and after its  
30 publication in the statute book.

Submission of information pertaining to an affected utility's portfolio requirement shall be determined by rules and regulations promulgated by the commission or by order of the commission.