

Approved: April 1, 2011  
Date

## MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 12:28 P.M. on March 22, 2011, in Room 785 of the Docking State Office Building.

All members were present except:  
Representative Reynaldo Mesa

Committee staff present:  
Matt Sterling, Office of the Revisor of Statutes  
Cindy Lash, Kansas Legislative Research Department  
Corey Carnahan, Kansas Legislative Research Department  
Rena Hansen, Committee Assistant

Conferees appearing before the Committee:  
Wes Ashton, Blackhills Energy Company  
Dave Springe, CURB

Others attending:  
Thirty eight including the attached list.

Hearing on:  
**SB 215-Abolishing the liquefied petroleum gas advisory board.**

Matt Sterling gave an explanation (Attachment 1), of **SB 215**. This bill would abolish the liquefied petroleum gas advisory board repealing K.S.A. 55-1811.

Written Proponents:

Testimony from the Senate Utilities (Attachment 2) was presented to the committee from the State Fire Marshall's office.

The hearing on **SB 215** was closed.

Hearing on:  
**SB 224-Gas safety and reliability surcharge; extension of deadline for rate schedule.**

Matt Sterling presented the committee with an explanation (Attachment 3) of **SB 224**.

Proponents:

Wes Ashton, Black Hills Energy, (Attachment 4), offered testimony explaining why and how **SB 224** would change the current statute language.

Dave Springe, CURB, (Attachment 5) appeared as a proponent before the committee to **SB 224** and provided testimony.

Questions were asked and comments made by Representatives: Don Hineman, Nile Dillmore, and Tom Sloan.

The hearing on **SB 224** was closed.

Action on:  
**SB 215-Abolishing the liquefied petroleum gas advisory board.**

Representative Nile Dillmore moved to recommend SB 215 favorably for passage. Seconded by Representative Phil Hermanson.

Questions were asked and comments made by Representatives: Tom Sloan, and Carl Holmes.

CONTINUATION SHEET

The minutes of the House Energy and Utilities Committee at 9:00 A.M. on March 22, 2011, in Room 785 of the Docking State Office Building.

The motion carried.

Action on **SB 215** was closed.

Representative Rob Bruchman will carry **SB 215** on the house floor.

Action on:

**SB 224-Gas safety and reliability surcharge; extension of deadline for rate schedule.**

Representative Mike Burgess moved to amend SB 224 (Attachment 6) to add HB 2267 into SB 224. Seconded by Representative Don Hineman. Motion carried.

Representative Mike Slattery moved to recommend SB 224 as amended favorably for passage. Seconded by Representative Stephen Alford. Motion Carried.

Action on **SB 224** was closed.

Representative Phil Hermanson will carry **SB 224** on the house floor.

Continued Action on:

**Sub SB 72- Telecommunications**

Representative Rob Bruchman moved to amend SubSB72 (Attachment 7) . Seconded by Representative Stan Frownfelter.

Questions were asked and comments made by Representatives: Forrest Knox, Mike Burgess, Don Hineman, Rob Bruchman, Mike Slattery, Tom Sloan, Nile Dillmore, and Annie Kuether.

Motion to amend failed 8-9.

Representative Don Hineman moved to amend SubSB72 page 25 and 26 on Representative Tom Sloan's set of amendments and additionally changes the sunset to 2015 and this amendment allows an ILEC to sell the local exchange to any entity and that capitol gains from such sale shall be tax exempt. Seconded by Representative Vern Swanson.

Questions were asked and comments made by Representatives: Stan Frownfelter, Nile Dillmore, Tom Sloan, Joe Seiwert, Forrest Knox, Annie Kuether, and Don Hineman.

Matt Sterling helped to answer committee questions.

Motion to amend failed 8-9.

Representative Tom Sloan moved to offer the same amendment to SubSB72 and included any rural cooperative in the language for eligibility. Seconded by Representative Don Hineman.

Questions were asked and comments made by Representative Mike Slattery.

Motion to amend failed 8-9.

Representative Forrest Knox moved to amend SubSB72 (Attachment 8) regarding uniform price throughout each exchange for the carrier's services. Seconded by Representative Don Hineman.

Questions were asked and comments made by Representatives: Vern Swanson, Forrest Knox, Mike Slattery, Mike Burgess, Tom Sloan, and Nile Dillmore.

CONTINUATION SHEET

The minutes of the House Energy and Utilities Committee at 9:00 A.M. on March 22, 2011, in Room 785 of the Docking State Office Building.

Matt Sterling helped to answer committee questions.

Motion to amend failed 5-10.

Representative Forrest Knox moved to amend **SubSB72** (Attachment 9) regarding quality of service and restore KCC regulation as a penalty if service quality falls. Seconded by Representative Don Hineman.

Questions were asked and comments made by Representatives: Mike Slattery, Forrest Knox, Stan Frownfelter, Annie Kuether, and Mike Burgess.

Matt Sterling helped to answer committee questions.

Motion to amend failed.

The action on **SubSB72** was suspended.

The next meeting is scheduled for March 23, 2011 upon recess of the house.

The meeting was adjourned at 1:59 P.M.