

SESSION OF 2012

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2436**

As Amended by House Committee on Energy  
and Utilities

**Brief\***

HB 2436 would amend KSA 66-131 to impose a 180 day time limit for the Kansas Corporation Commission (KCC) to act on applications for certificates of public convenience. (Any common carrier or public utility that wishes to operate in Kansas is required to obtain such a certificate from the KCC.) Upon mutual agreement between the KCC and the carrier or utility, the deadline may be waived. Currently, there is no requirement for the KCC to act on an application within a specific time frame.

**Background**

The Kansas Corporation Commission testified this deadline would ensure a predictable turnaround and would give a measure of confidence to new companies seeking certification in Kansas.

The Citizen's Utility Rate Board (CURB) testified the 180 day time limit is arbitrary and may hinder the KCC's public interest obligations by allowing insufficient time for full consideration of relevant information. The CURB representative recommended that, if the deadline is enacted, language should be included that allows the applicant to waive the deadline.

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\*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 <http://www.kslegislature.org>

The House Energy and Utilities Committee made technical and clarifying amendments to the bill, and added a provision allowing the time limit to be waived upon agreement of the KCC and the applicant.

The fiscal note prepared by the Division of the Budget indicates that the bill would have no fiscal effect.