

MINUTES OF THE HOUSE ENERGY AND UTILITIES COMMITTEE

The meeting was called to order by Chairman Carl Holmes at 9:00 A.M. on March 13, 2007 in Room 241-N of the Capitol.

All members were present except:
Vaughn Flora-excused

Committee staff present:
Mary Galligan, Kansas Legislative Research
Dennis Hodgins, Kansas Legislative Research
Mary Torrence, Revisor's Office
Jason Long, Revisor's Office
Rena Hansen, Committee Assistant

Conferees appearing before the committee:
Mike Murray, Embarq
Janet Buchanon, KCC
Tim Pickering, AT&T Kansas
Colleen Jennison, Cox Communications

Others attending:
Forty-Four including the attached list.

Chairman Holmes announced that a bill will be introduced through an exempt committee that will place the BPU under KCC jurisdiction. This bill will cover an amendment that was amended into a bill that our committee sent to the Senate. Because the amendment has not had a hearing, this committee will hold an informational hearing.

Chairman Holmes also showed a piece of transmission line that is a new composite-type technology that 3M is producing.

Hearing on:

SB 49: Kansas Universal Service fund, VoIP providers

Proponents:

Mike Murray, director of Governmental Affairs, Embarq, (Attachment 1), offered testimony in support of **SB 49**. Additionally, they offered an amendment (Attachment 2) to the bill.

Neutral:

Janet Buchanon, KCC, (Attachment 3), offered background information regarding what has been happening at the FCC concerning this issue giving only a neutral position on **SB 49**. Attached to her testimony was a list of providers that offer Voice over Internet Provider (VoIP) services, noting those carriers that contribute to the Kansas Universal Service Fund (KUSF).

Tim Pickering, AT&T Kansas, (Attachment 4), gave brief overview of VoIP services and how they work and gave a neutral position in relation to **SB 49**, recommending a cautious approach. Attached to his testimony was a suggestion for an amendment to **SB 49**.

Colleen Jennison, Cox Communications, (Attachment 5), offered testimony from a neutral position on **SB 49**. They believe that it is premature to offer legislation on this issue until the appeal of the FCC's decision is decided in the federal courts. Additionally they also offered an amendment that was a duplicate to the amendment that AT&T offered, but different from the Embarq amendment.

CONTINUATION SHEET

MINUTES OF THE House Energy and Utilities Committee at 9:00 A.M. on March 13, 2007 in Room 241-N of the Capitol.

Questions were asked and comments made by Representatives: Forrest Knox, Tom Sloan, and Cindy Neighbor.

SB 128 **Requiring certain electric utilities to provide energy conservation information to consumers, establishing the energy conservation promotion education advisory group.**

Representative Tom Sloan offered a balloon amendment, (Attachment 6), to **SB 128**.

Representative Tom Sloan moved to adopt the amendment to **SB 128**. Seconded by Representatives Peggy Mast.

Discussion ensued and questions were asked by Representatives: Josh Svaty, Margaret Long, Tom Sloan, Peggy Mast, Richard Proehl, Vern Swanson, and Tom Moxley.

Motion to amend carried.

Representative Tom Sloan moved to strike in **SB 128** on lines 25 and 26 “requirements, standards, and guidelines” and insert the word “goals”. Representative Annie Kuether seconded the motion. Motion carried.

Representative Josh Svaty moved to amend **SB 128** to return to “two members” page 1 line 32 from “one member”. Seconded by Representative Annie Kuether.

Comments were made by Representative Tom Sloan.

Motion to amend passed.

Discussion continued by Representatives: Peggy Mast, Tom Sloan, Don Myers, and Annie Kuether.

Representative Annie Kuether moved to change page one line 29 from “Kansas energy office” to “the Governor” on **SB 128**. Seconded by Representative Tom Hawk.

Discussion continued by Representatives: Dan Johnson, Peggy Mast, and Annie Kuether.

Motion carried.

Representative Dan Johnson moved to amend **SB 128** page two line 30 new number 4 from “if” to “of”. Seconded by Representative Tom Sloan. Motion carried.

Representative Annie Kuether moved to amend **SB 128** page 3 line 15 to “2009” from “2010”. Seconded by Representative Tom Hawk.. Motion carried.

Discussion continued by Representative Forrest Knox.

Representative Forrest Knox moved to amend **SB 128** on page two, recommending for recovery of cost and strike section one part A, and strike part e bottom of pg 2 and h pg 3. Seconded by Representative Rob Olson.

Discussion continued by Representatives: Tom Sloan, Annie Kuether, Josh Svaty, and Tom Hawk.

Representative Forrest Knox closed on the motion to amend.

Motion to amend failed.

Discussion continued by Representative Tom Moxley.

CONTINUATION SHEET

MINUTES OF THE House Energy and Utilities Committee at 9:00 A.M. on March 13, 2007 in Room 241-N of the Capitol.

Annie Kuether moved to pass **SB 128** favorably as amended. Seconded by Representative Margaret Long.

Discussion by Representatives: Forrest Knox, and Don Myers.

Representative Annie Kuether closed on the motion.

Motion carried 11-8.

Representative Josh Svaty will carry **SB 128** on the floor.

SB 326 **State Corporation Commission duties concerning natural gas and energy in emergency situations.**

Representative Peggy Mast moved to pass **SB 326** and put it on the consent calendar. Seconded by Representative Rob Olson. Motion carried.

If pulled off consent calendar Representative Peggy Mast will carry it on the house floor.

The next meeting will be a tour of Westar Energy, March 14, 2007.

Meeting adjourned.