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**Senate Utilities Committee
Testimony in Opposition to SB170
February 19, 2015**

Mr. Chairman and members of the committee, I am Phil Wages, Director of Member Services, Government Affairs and Business Development for Kansas Electric Power Cooperative, Inc. (KEPCo).

KEPCo is a not-for-profit generation and transmission electric utility serving the wholesale power requirement needs of nineteen member rural electric cooperatives encompassing the eastern two-thirds of Kansas.

KEPCo opposes SB170 because the bill will ensure the State of Kansas not meeting the deadline for submission of a State Implementation Plan (SIP), but rather ensuring the Environmental Protection Agency (EPA) issuing Kansas a Federal Implementation Plan (FIP). Lines 10 through 15 of SB170 precludes the Kansas Department of Health and Environment and the Kansas Corporation Commission from preparing, drafting, or submitting a plan until the completion of judicial review, which could extend well past the deadline for submittal of a SIP.

With Kansas not meeting the SIP deadline, Kansas would purge the options afforded to the State from the filing of a SIP, and would relegate Kansas to accept and, if the rule is upheld, comply with a FIP, with limited judicial recourse. This course of action is not in the best interest of Kansas utilities and Kansas ratepayers.

Therefore, KEPCo respectfully asks for the Senate Utilities Committee to not pass favorably SB170.