

HOUSE BILL No. 2500

By Representatives Ward and Kuether

1-21

1 AN ACT concerning the citizens' utilities ratepayers board; enacting the
2 Kansas ratepayers protection act; amending K.S.A. 66-1222 and 66-
3 1223 and repealing the existing sections.

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

6 New Section 1. Sections 1 and 2, and amendments thereto, shall be
7 known and may be cited as the Kansas ratepayer protection act.

8 New Sec. 2. In order to best protect Kansas ratepayers in the most
9 efficient and effective manner, the citizens' utility ratepayer board shall
10 have no power or authority to modify, expand or abandon: (a) The board's
11 powers, duties and functions established by the legislature in K.S.A. 66-
12 1222(e), and amendments thereto; or (b) the consumer counsel's powers,
13 duties and functions established by the legislature in K.S.A. 66-1223, and
14 amendments thereto.

15 Sec. 3. K.S.A. 66-1222 is hereby amended to read as follows: 66-
16 1222. (a) There is hereby established a citizens' utility ratepayer board
17 which shall consist of five members appointed by the governor. Subject to
18 the provisions of K.S.A. 75-4315c, *and amendments thereto*, the governor
19 shall appoint one member from each congressional district and the
20 remainder from the state at large. The members of the board shall serve for
21 a term of four years. All vacancies in office of members so appointed shall
22 be filled by appointment by the governor for the unexpired term of the
23 member creating the vacancy.

24 (b) The board shall organize annually by the election from its
25 membership of a chairperson and shall adopt such rules of procedure as
26 the board deems necessary for conducting its business.

27 (c) The board shall hold such meetings as in its judgment may be
28 necessary for the performance of its powers, duties and functions.
29 Appointive members of the board shall receive compensation, subsistence
30 allowances, mileage and other expenses for attending meetings of the
31 board as provided by K.S.A. 75-3223, and amendments thereto.

32 (d) The state corporation commission shall provide such technical
33 and clerical staff assistance as may be requested by the board in the
34 administration of the provisions of this act.

35 (e) The board shall administer this act and shall have and may
36 exercise the following powers, duties and functions:

1 (1) Employ an attorney as a consumer counsel;

2 (2) guide the activities of the consumer counsel, *except the board*
3 *shall not have authority to modify, expand or abandon the consumer*
4 *counsel's powers, duties and functions under K.S.A. 66-1223, and*
5 *amendments thereto; and*

6 (3) recommend legislation to the legislature which in the board's
7 judgment would positively affect the interests of utility consumers.

8 Sec. 4. K.S.A. 66-1223 is hereby amended to read as follows: 66-
9 1223. The consumer counsel may ~~do~~ exercise the following powers, duties
10 and functions:

11 (a) Represent residential and small commercial ratepayers before the
12 state corporation commission;

13 (b) function as an official intervenor in cases filed with the state
14 corporation commission, including rate increase requests;

15 (c) initiate actions before the state corporation commission;

16 (d) represent residential and commercial ratepayers who file formal
17 utility complaints with the state corporation commission;

18 (e) intervene in formal complaint cases which would affect
19 ratepayers; ~~and~~

20 (f) make application for a rehearing or seek judicial review of any
21 order or decision of the state corporation commission; *and*

22 (g) *communicate with any person or entity regarding matters which*
23 *generally pertain to the powers, duties and functions of the citizens' utility*
24 *ratepayer board and the consumer counsel.*

25 Sec. 5. K.S.A. 66-1222 and 66-1223 are hereby repealed.

26 Sec. 6. This act shall take effect and be in force from and after its
27 publication in the statute book.