

**State of Emergency Declaration
Kansas House Bill No. 2461
Kansas City Power & Light Company
March 16, 2005
Comments Presented by Donna Quillin
To the Senate Utilities Committee**

Chairman Emler and members of the committee, I am Donna Quillin, Manager of Safety & Medical, Kansas City Power & Light Company, in Kansas City, Missouri.

Thank you for the opportunity to add our support relating to the proposed Kansas House Bill No. 2461.

This bill addresses delegating the responsibility for declaring an emergency to meet the Hours of Service Exemptions applicable to the Department of Transportation regulations. CFR 390.5.

Emergency is defined: Any hurricane, tornado, storm, (e.g. thunderstorm, snowstorm, ice storm, blizzard, sandstorm, etc.) high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, mud slide, drought, forest fire, explosion, blackout or other occurrence, natural or man-made, which interrupts the delivery of essential services (such as electricity, medical care, sewer, water, telecommunications and telecommunication transmissions) or essential supplies such as (food, and fuel) or otherwise immediately threatens human life or public welfare, provided such hurricane, tornado or other events results in:

1. A declaration of an emergency by the President of the United States of America, the Governor of a State or their authorized representative having the authority to declare emergencies: by the FMSCA Field Administrator for the geographical area in which the occurrence happens: or by other Federal, State or local government officials having the authority to declare emergencies or:
2. A request by a police officer for tow trucks to move wrecked or disabled motor vehicles.

Emergency Relief means an operation in which a motor carrier or driver of a commercial motor vehicle is providing direct assistance to supplement State and local efforts and capabilities to save lives or property or to protect public health and safety as a result of an emergency as defined above.

When these emergencies occur, it is imperative we have the ability to rapidly contact a designated governmental representative to assist in addressing the emergency that may involve a city, local area or multiple counties located throughout the state.

HB No.2461
3-16-05

Our ability to respond and frequently obtain the mutual aid assistance of other utilities in an emergency is determined by our ability to confirm that a proper Hours of Service Exemption is in place.

House Bill No. 2461 would significantly assist all electric utilities in meeting our commitment to public safety, providing emergency service to our customers, expediting our ability to restore a safe electrical system and comply with governmental regulations.

Utilities have the responsibility to maintain the country's critical energy infrastructure. When outages occur, restoration of service must be completed as soon as possible. Reliability of our electrical system is critical to the health and safety of the public.

To identify the magnitude of the problems we, as a utility face daily, please let me share some statistical facts with you.

In 2004, our company recorded 5312 instances in Kansas of emergency unplanned outages that resulted in businesses including schools, industrial facilities and residences being without out electrical service.

KCPL also responded to 615 instances of system damage that involved wires down. The potential for fatal or life threatening injuries in these situations cannot be minimized. A daily problem for utilities involves vehicle accidents with our facilities, usually power poles. In 2004, our employees responded to 38 such accidents.

We deal with these situations individually within the scope of our daily activities. However, it is the unplanned, unexpected emergencies that we seek you assistance in providing a workable solution to the declaration of such emergencies.

Please let me emphasize, we fully recognize this emergency declaration leading to our ability to work under an hours of Service Exemption in no way exempts us from other DOT regulations including insuring physically fit, drug free, safe drivers and the operation of properly maintained and inspected vehicles.

As a company, KCPL is proud of the excellent driving and safety records of our drivers. KCPL has recorded zero vehicular accidents resulting in employee deaths in the past 35 years. In this time period, our drivers have been involved in only 1 accident resulting in a fatality. This occurred when a drunk driver crossed the medium and struck our vehicle. This accident occurred in spite of evasive actions by our driver to prevent the accident.

In 2004, KCPL's commercial vehicles were driven an average of 41.7miles a day in 2004. That is less than 10,841 miles per year average. It is important to recognize most

HB No. 2461
3-16-05

of these miles were driven in the metropolitan area with well-defined speed limits and “stop and go” traffic or in rural areas with minimal traffic conditions. KCPL drivers are assigned to five metropolitan and three rural show-up locations. They begin and end their daily activities at the same location and travel within a radius of 100 miles from their show-up. Frequently utility vehicles are driven only a few blocks between work assignments, which may also require the use of multiple vehicles to complete the repairs or restoration of service.

In general, utility crews are under supervision and must meet company requirements to assure their fitness for duty. Contractual agreements address the supervisors right to request a fit for duty examination if there are concerns.

Many labor contracts, including KCPL’s address specifically the issues of overtime, rest periods and call-outs for emergencies. However, in emergency conditions, the employee/driver may be requested to work additional hours to restore service in the interest of public safety.

In closing, as an electric utility, we are expected to respond to the various hazards and emergency conditions 24 hours a day, 7 days a week, 365 days a year. We need your support and passage of HB 2461 to permit us to respond in a timely manor to the needs of the citizens of Kansas when these unexpected emergencies arise.

As I stated previously, House Bill No. 2461 would significantly assist all electric utilities in meeting our commitment to public safety, providing emergency service to our customers and your citizens, and expediting our ability to restore a safe electrical system and comply with governmental regulations.

Thank you for your time and consideration. We request your support of HB No. 2461 which will provide a single point of contact when unplanned emergencies arise requiring exemptions from the DOT Hours of Service regulations.

Passage of this bill will also permit us to pre-plan what information needs to be provided to the approving agency to eliminate redundancy in the repetitious transfer of required information and potential numerous individual requests.

Thank you for the opportunity to address you this morning and will be available to answer questions at the appropriate time.

Donna Quillin
Manager of Safety & Medical
Kansas City Power & Light Company
1201 Walnut PO Box 418679
Kansas City, Missouri 64141-9679 1-816-556-2200