



Southwest Kansas Irrigation Association
922 W Oklahoma
Ulysses, Ks. 67880
620-356-3021

RE: Written Testimony provided to the House and Senate Committees on Utilities
Regarding House Bill 2530 and Senate Bill 303

To: The Honorable Carl Holmes, Chair
and members of the House Utilities Committee;
The Honorable Senator Emler, Chair
and members of the Senate Utilities Committee

From: Kirk Heger
Board member Southwest Kansas Irrigation Association

Our organization represents approximately 400 irrigators and businesses directly tied to irrigation in Southwest Kansas.

We are testifying in support of House Bill 2530 and Senate Bill 303.

In our opinion the need to take to task the Kansas Corporation Commission, regarding the abandonment of service from the utilities in rural Kansas is long overdue.

As many of you may remember our Association has been very active in supporting legislation with the intent of protecting and serving the energy supply needs in rural Kansas.

We introduced the gas-gathering bill in 1997 and the Rural Kansas Self-Help Gas Act in 2001 which were enacted into law.

It is our position the KCC has not had clear enough direction from current law to prevent gas gathering companies from allowing H2S gas into the system and then requiring another party to exit the same system because of the same gas.

This practice seems to be unjust, unreasonable, and unjustly discriminatory, towards the consumers, and unduly preferential to the gatherers and the producers as described in KSA 55-1,103 (a) which states:

- (a) Persons offering gas-gathering services in this state, or facilities essential to provision of such services, shall provide, in a manner that is just, reasonable, not unjustly discriminatory and not unduly preferential, access to any person seeking such services or facilities.

It is a clear contradiction to have the utilities ignore their certificated area and certificated customer obligations by effectively abandoning services and yet be able to request a tariff increase from their entire customer base to help pay for termination of services that rural Kansans have been paying for decades.

House bill 2530 and Senate bill 303 are necessary steps in clearing up any confusion regarding the responsibilities of the KCC in such matters. The time has come for the statutes to clearly define the KCC's authority.

Thank you for your attention and prompt action on this matter. I will be happy to answer any questions and can be reached by telephone at:
620.544.1562

Sincerely,

Kirk Heger
Southwest Kansas Irrigation Association

449-N

To: Patti Vanslyke
Senator Morris

From: Jeff Sarchet
112 S. Washington
Hugoton KS 67951
620 544 2923

Subject: Senate Bill 113

I am very much in support of the bill giving the KCC jurisdiction to investigate and mediate the problem with the gathering lines. The points of interest to me I have listed below:

1. The pipeline easement contract between the pipeline owner and the land owner has no intension of a utility company being imposed between the parties.
2. The actions of the KCC from the beginning of the problem until now have been very inconsistent.
3. It is unfair to the land owner or customers to have no option but to take on a utility company and the pipeline company in court.
4. Does the utility company have the right to charge extra fees to the customer or should the pipeline be paying the "servicing agent".
5. Oneok has shown very little to no evidence that the gas presents a hazard and no other companies operating in the Hugoton Field are taking these widespread drastic abandonment procedures.
6. These companies are abandoning my gas service and then telling me what they will replace in the house and they are not putting me back in the same situation or consideration as ~~less~~ far as the safety or efficiency of my house.