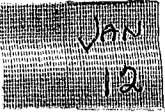


Approved: January 27, 2010
Date

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on January 12, 2010, in Room 548-S of the Capitol.



All members were present except Senator McGinn, excused.

Committee staff present:

Kristen Kellems, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Mary Torrence, Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Cindy Lash, Kansas Legislative Research Department
Ann McMorris, Committee Assistant
Jeannine Wallace, Sen. Apple's Office Assistant

Conferees appearing before the Committee:

Others attending: See attached list.

Chair Apple noted the committee is meeting in the newly renovated meeting room which was formerly 519S. He introduced the Committee assistant, his office assistant, and the staffs from the Revisor of Statutes Office and the Legislative Research Department.

Introduction of Bills:

Dan Jacobsen, president of AT&T, explained the purpose of the proposed bill modifying requirements for telecommunication carriers and local carriers. The bill is being drafted by the Revisor of Statutes Office as 9rs1241.

Moved by Senator Petersen, seconded by Senator Emler, the bill (9rs1241) proposed by AT&T be introduced. Motion carried.

Patrick Fucik of Sprint explained their proposed bill dealing with access rates. It is drafted in 9rs1297.

Moved by Senator Lee, seconded by Senator Reitz, the bill (9rs1297) proposed by Sprint be introduced. Motion carried.

Status of Pending Legislation

Kristen Kellems, Revisor of Statutes Office, reviewed the Senate Utilities Committee carry-over bills from the 2009 session - **SB 47** - Local exchange carriers methods to satisfy carrier of last resort obligation; **SB 217** - Retail electric suppliers act, state educational institutions authorized to enter into certain energy generation agreements; **SB 265** - Energy conservation and electric generation, transmission and efficiency and air emissions; **SB 284** - Third party administrator authorized for certain utilities energy efficiency and conservation programs; **and SB 339** - Energy conservation and electric generation, transmission, efficiency and air emissions; and the Senate carry-over bills in the House Committee on Energy and Utilities. (Attachment 1)

Chair Apple reviewed the agenda for the next two meetings of the committee.

The next meeting is scheduled for January 13, 2010.

The meeting was adjourned at 2:10 p.m.

Respectfully submitted,

Ann McMorris, Committee Assistant

Attachments - 1

**SENATE UTILITIES
COMMITTEE GUEST LIST
JANUARY 12, 2010**

| NAME | REPRESENTING |
|----------------|---------------------------------|
| Joe Dick | KCBPU |
| Dave Holthaus | KEC |
| Lon Stanton | NORTHERN NATURAL GAS |
| DAN JACOBSEN | AT&T |
| Mark Schreiber | Westar |
| Mick Urban | Kansas Gas Service |
| Shuly Allen | KRITC |
| Jim Gackmer | AT&T |
| SEN MILLER | CAPITOL STRATEGIES |
| TED HESBY | CAPITOL STRATEGIES |
| Wes Ashton | Black Hills Energy |
| David Sprunge | Curb |
| Kendra Hanson | Intern, Hein Law Firm |
| Kristen Gammes | Sen. Derek Schmidt |
| Chris Cardinal | Sierra Club |
| Travis Lowe | Little Cow Religion |
| PATRICK FUCIK | Sprint |
| Mike Hufels | Rural Independent Telephone Co. |

**SENATE UTILITIES
COMMITTEE GUEST LIST
JANUARY 12, 2010**

| NAME | REPRESENTING |
|-----------------|--------------|
| John Bortenberg | Safety Assoc |
| Scott Jones | KCPK |
| Tom Bruno | Horizon Wind |
| Kimberly Sraty | GSP/A |
| Kirk P... .. | Sprint |
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MARY ANN TORRENCE, ATTORNEY

REVISOR OF STATUTES

JAMES A. WILSON III, ATTORNEY

FIRST ASSISTANT REVISOR

GORDON L. SELF, ATTORNEY

FIRST ASSISTANT REVISOR



OFFICE OF REVISOR OF STATUTES
KANSAS LEGISLATURE

Legal Consultation—
Legislative Committees and Legislators
Legislative Bill Drafting
Legislative Committee Staff
Secretary—
Legislative Coordinating Council
Kansas Commission on
Interstate Cooperation
Kansas Statutes Annotated
Editing and Publication
Legislative Information System

From: Kristen Kellems, Assistant Revisor of Statutes
To: The Senate Utilities Committee
Subject: Status of bills

The Senate Committee on Utilities carry-over bills from the 2009 session are:

- **SB 47.** This bill would allow a local exchange carrier to satisfy its carrier of last resort obligation to provide basic voice service in an exchange by using alternative technology. Introduced to the Committee on Utilities. No hearing was held.
- **SB 217.** This bill would specify that a retail electric supplier would not include any person or organization that furnishes wind-generated electricity to state universities only. Introduced to Committee on Utilities; referred to Committee on Ways and Means; re-referred to Committee on Utilities; hearing on 3/02/2009.
- **SB 265.** This bill would establish a coordinated state regulatory initiative regarding emissions from stationary, mobile, and area sources not currently regulated by the United States Environmental Protection Agency. The bill includes requirements for the Department of Administration, the Kansas Corporation Commission, and the Kansas Department of Health and Environment. The bill also affects municipalities that own or operate electric utilities. Introduced to Committee on Ways and Means; referred to Committee on Utilities; hearings held on 2/18/2009, 2/19/2009 and 2/25/2009.
- **SB 284.** This bill would require the Kansas Corporation Commission to establish the Third Party Administrator Program as an independent, not-for-profit corporation. The purpose of the program would be to achieve reductions in energy use through increasing the level of cost effective energy efficiency, conservation, and education programs available to Kansans. Introduced to Ways and Means; referred to Committee on Utilities; hearings held on 3/11/2009 and 3/16/2009. Committee on Utilities recommended that the bill be referred to the Joint Committee on Energy and Environmental Policy for further study.
- **SB 339.** This is a comprehensive energy bill dealing with deregulating large electric cooperatives, renewable energy requirements, energy efficiency guidelines, net metering and air quality among other things. Introduced into the Committee on Federal and State Affairs; referred to Committee on Utilities. No hearing was held.

**Senate Utilities Committee
January 12, 2010
Attachments 1-1**

The Senate Utilities carry-over bills in the Committee on Energy and Utilities are:

- **S Sub for SB 48.** This bill would amend existing law regarding emergency wireless 911 services by extending for ten years the current method of funding which is set to sunset on July 1, 2010. Introduced to Committee on Utilities; Committee on Utilities recommended Senate Substitute for SB 48 bill be passed; substitute bill was amended on the floor and passed by the Senate Committee of the Whole; introduced to the House side and referred to Committee on Energy and Utilities; has not had a hearing.
- **S Sub for SB 58.** This bill would make technical changes to existing law concerning the Underground Utility Damage Prevention Act. Introduced to Committee on Utilities; Committee on Utilities recommended Senate Substitute for SB 58 bill be passed; substitute bill was amended on the floor and passed by the Senate Committee of the Whole; introduced to the House side and referred to Committee on Energy and Utilities; has not had a hearing.
- **SB 298.** This bill would require any person who operates or is responsible for certain types of wells to place a well identification sign on or near each well. The Kansas Corporation Commission would adopt rules and regulations specifying the size and location of the signs as well as the information to be included on the signs. Introduced to Committee on Utilities; Committee on Utilities recommended the bill be passed as amended; passed by the Senate Committee of the Whole; introduced to the House side and referred to Committee on Energy and Utilities; has not had a hearing.
- **SB 299.** This bill would amend current law regarding underground hydrocarbon storage wells by adding a definition for "company or operator." The bill would define company or operator as any form of legal organization including corporations, limited liability companies, and limited or general partnerships. Introduced to Committee on Ways and Means; referred to Committee on Judiciary; re-referred to Committee on Utilities; Committee on Utilities recommended the bill be passed; passed by the Senate Committee of the Whole; introduced to the House side and referred to Committee on Energy and Utilities; has not had a hearing.

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