



931 SW Henderson Rd.
Topeka, KS 66615

May 2, 2019
Testimony in support of SB 219
House Judiciary Committee
Testimony by Megan Bottenberg, Manager of Government Affairs

Chairman Patton and Members of the Committee:

Thank you for the opportunity to appear before you today in support of SB 219. Cox is the largest provider of broadband services in Kansas with over 8,900 miles of network. We have invested more than \$78 million in infrastructure upgrades since 2010, and Cox continues to invest with our GIG and DOCS 3.1 deployment and plans to take fiber deeper in our network.

We have faced a challenge over the past several years that has caused both operational and financial complications. Each of our cable cabinets receive electricity from the power company to provide Cox services throughout our footprint. When we lose electricity to these units, there are batteries and generators in the units that kick in and seamlessly transfer back up power to our network so the customer is never disrupted. When these batteries are not in the cabinets and we lose commercial power, our customers experience service disruptions. In 2018, over 800 lead batteries were stolen from the Wichita area, at a cost of over \$312,000 to replace the batteries and cabinets, and just this year alone, ten were stolen from the Topeka area. The thieves are taking them to scrap yards and dealers in exchange for money. In conversations with law enforcement investigating these thefts, the need for a statewide database for scrap metal sales became clear. The lead in our batteries is a regulated scrap metal. The database will help law enforcement and prosecutors track who is bringing in what to a dealer, build a strong prosecution case, and reduce theft.

Since the fall of 2018, we have worked closely with the City of Wichita, the Kansas Electric Cooperatives, Kansas Farm Bureau, as well as many others in the utility, law enforcement and agriculture industries, to help law enforcement implement and fund the Scrap Metal Theft Reduction Act. We have also been working with the Attorney General's Office and the Kansas Bureau of Investigation. The challenge with the Act was the funding mechanism for the database and concerns expressed by scrap metal dealers.

SB 219 is a good solution that addresses the needs of law enforcement and victims while lessening the burden it places on scrap metal dealers, giving them a much better framework of the Act to conduct business within.

- SB 219 reduces the burden of the Scrap Metal Theft Reduction Act on dealers by no longer requiring fingerprinting and criminal history record checks and reducing the registration fee.
- SB 219 ensures all information in the database is held confidential.
- SB 219 moves the responsibility of the database to the KBI to establish and manage it.
- SB 219 implements the law before the delayed implementation sunset date of January 1, 2020.
- SB 219 provides oversight of the implementation, administration and enforcement of the Act.

Cox supports the database as a tool for law enforcement to enforce the law and help us reduce scrap metal, and in our case battery, theft. The database will help law enforcement see what is being brought into a scrap business and who is bringing it in. We ask for your support of SB 219 and funding the statewide database. Thank you for your time.





These units receive electricity from the power company and through the magic of electronics, converts the power, and transfers it to our network which provides our Cox services throughout Wichita metro area. When we lose electricity to these units, there are batteries and generators in the units that kick in and seamlessly transfer back up power to our network – **customer is never disrupted**. When these batteries are not in the cabinets and we lose commercial power, our **customers experience service disruptions**. The thefts started to pick up in 2015, and each year we have seen an increase in these thefts.

What Steps Have We Taken?

- We have used Data Dot technology (sprays micro decals on battery) and marking battery location with black light marker
- Installed security cameras at on units that have been hit multiple times
- We have placed 3 decoy batteries in cabinets that alarm us when they are moved and we can track their location.
- Installed security bars to make it harder to remove batteries

Where are they taking these batteries?

They are taking them to Allpak Battery stores and metal recycling locations in Wichita. The dealers are NOT contacting WPD when they get our batteries. Law enforcement has made them aware and they know how to identify Cox's batteries as they are not sold in retail stores and have specific labeling.

Power Supply After theft



With Security bar installed



Theft cutting security bar



| Wichita Area Thefts | 2017 | 2018 |
|---------------------|------------------|------------------|
| Batteries Stolen | 509 | 802 |
| Cabinets Damaged | 186 | 330 |
| Total Cost | \$185,000 | \$312,595 |

