

Neutral Conferee with Proposed Amendment**SB 380 – Prohibiting municipalities from imposing certain conditions on attachment of wireless equipment to utility lines.****Senate Committee on Utilities
February 12, 2020****Presented by Leslie Kaufman, V.P. of Government Relations & Legal Counsel
Kansas Electric Cooperatives, Inc.**

Chairman Masterson and members of the Senate Committee on Utilities, thank you for the opportunity to appear today on behalf of Kansas Electric Cooperatives, Inc. (KEC) and our members to comment on SB 380. I am Leslie Kaufman and I serve as the V.P. of Government Relations & Legal Counsel for KEC.

KEC is the Kansas statewide service organization for 27 electric distribution cooperatives and three generation and transmission cooperatives. Formed on August 18, 1941, and headquartered in Topeka, KEC represents the interests of and provides needed services and programs to the electric co-ops that serve Kansans. Our major programming areas include advocacy, education, communications and safety/loss control.

As you know, SB 380 seeks to address attachment issues associated with placing wireless facilities on lines. It is our understanding that the bill is intended to deal only with municipal attachment policies and fees. We appreciate that greatly. As SB 380 stands before you now, we are neutral on the bill, but we do respectfully request a clarifying amendment.

We have communicated with Cox Communications and thank them for working with us to help ensure this bill maintains a municipal focus. The sponsors have already eliminated from this bill a paragraph in a previous draft that directly pulled cooperatives into SB 380 and we appreciate that.

We do have a remaining concern, which we have shared with Cox, that the bill still has the potential to pull us in. As such, we suggest including a new section 3 on page 7 and then re-numbering the bill accordingly, ensuring our members maintain the ability to protect workers and infrastructure:

Sec. 3. "Nothing in this act shall prohibit any corporation organized under the electric cooperative act, K.S.A. 17-4601 et seq., and amendments thereto, an entity as described in K.S.A. 66-104d, or any electric public utility that is owned by one or more cooperatives, from negotiating any conditions or fees for attaching any wires, cable or equipment to their utility infrastructure including attaching to poles, wires or other appurtenances."

In closing, we appreciate the opportunity to share our thoughts on SB 380 and offer the proposed amendment. We do hope that the committee will act favorably on amendment, should you take action on SB 380. I will gladly stand for questions at the appropriate time.

Thank you.