

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 12:45 p.m. on February 24, 2011, in Room 152-S of the State Capitol.

All members were present except:

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Heather O'Hara, Kansas Legislative Research Department
Ann McMorris, Committee Assistant

Conferees appearing before the Committee:

Others attending: See attached list.

Chair noted the purpose of this meeting is to reconsider the action on **SB 72** which the Senate Utilities Committee took on February 22, 2011 and action at the meeting at the rail on February 23, 2011 which put **SB 72** back in committee.

Chair opened for discussion on further amendments to:

Substitute for SB 72 – Telecommunications and Price Deregulation

Moved by Senator Masterson, seconded by Senator Petersen, to amend **Substitute for SB 72** by adding electing carrier to KSA 50-6, 103(f). Motion carried.

Moved by Senator Bruce, seconded by Senator Kultala, to amend **Substitute for SB 72** by inserting additional language in Paragraph (5) page 23 and changing “shall no longer” to “shall not”. Motion carried. NO vote recorded by Senator Merrick. (Attachment 1)

AT&T voiced objection to the second amendment to Paragraph (6) Page 23 as shown in the second box of (Attachment 1). No action taken on amendments offered to (5) and (6) in (Attachment 2)

Moved by Senator Masterson, seconded by Senator Merrick, to amend **Substitute for SB 72** by striking Paragraph (6) on page 23.

Substitute Motion by Senator Bruce, seconded by Senator Kultala, to amend **Substitute for SB 72** by adopting the second amendment on (Attachment 1). Motion died.

Substitute motion by Senator Francisco, seconded by Senator Kultala, to amend **Substitute for SB 72** by striking all the language after 'access line' in Paragraph 6 – which would read as follows: (6) *Notwithstanding the provisions of this subsection (x), an electing carrier shall offer a single residential local exchange access line in its exchanges.* Motion carried. NO vote recorded for Senator Merrick. (Attachment 3)

Moved by Senator Francisco, seconded by Senator Petersen, to amend **Substitute for SB 72** by providing an amendment requiring that in determining the state average for residential local service rates electing carriers would not be included. Motion carried. (Attachment 4)

Moved by Senator Bruce, seconded by Senator Kultala, to pass **Substitute for SB 72** out as amended. Motion carried.

The meeting was adjourned at 2:00 p.m.

Respectfully submitted,
Ann McMorris, Committee Assistant

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