



The Honorable Representative Joe Seiwert, Chairperson
Energy, Utilities and Telecommunications Committee

February 19, 2019

Re: Enel Green Power Registering in Opposition to the Wind Generation Permit and Property Protection Act (HB 2273)

Mr. Chair, members of the committee, my name is Rob Stupar and I am a Manager of Regulatory and Institutional Affairs for Enel Green Power responsible for the company's legislative affairs in the Midwest, which includes Kansas. Enel Green Power, which is part of the Renewable Energies division of the Enel Group—one of the largest utility companies in the world—is a leading owner and operator of renewable energy facilities in the United States. Enel Green Power has more than 100 wind, solar, geothermal and hydro projects operating and under development in 24 U.S. states representing a total managed capacity of 5 gigawatts.

Enel Green Power is a leading operator of wind power in Kansas. The company's seven wind facilities located in Grant, Haskell, Clark, Lincoln, Ellsworth, Marion and Elk counties, represent 1.4 gigawatts of capacity and over \$2.1 billion in total investment. Our Kansas fleet produces enough wind energy to power an equivalent of 500,000 U.S. homes annually and represents more than a quarter of Enel Green Power's managed capacity in North America. Through Enel Green Power's investment in Kansas, the company has created approximately 1,700 jobs during construction and 70 quality full-time jobs located in the State of Kansas.

In addition to our capital investment and job creation, Enel Green Power also invests in the communities where it lives and operates. Enel Green Power provides millions of dollars annually to local counties and school districts through voluntary payment agreements to support local infrastructure and county operations. The company also allocates hundreds of thousands of dollars annually to support both statewide and targeted community initiatives as part of Enel's Creating Shared Value program. This funding goes to support educational programming at the Lawrence Art Center, scholarships for wind technician degree programs at Cloud County Community College, and upgrades to local emergency response equipment in the rural communities in which we operate. In addition, Enel Green Power is the lead sponsor of the Kansas Energy Program KidWind Challenges, a statewide STEM competition, which allows middle and high school students the opportunity to explore wind technology by building and testing model wind turbines. When Enel Green Power invests in an area, it becomes part of the community and takes its role as a member of the community seriously.

The stable, business-friendly policy environment in Kansas makes it a great place for Enel Green Power to invest. Over the past decade, Enel Green Power has worked with its Lenexa, Kansas-based development partner, Tradewind Energy, to develop projects in close coordination with local county officials and stakeholders. Energy companies like Enel Green Power have many options when deciding where to locate wind projects, and the lack of regulatory burden is a major factor in making those investment decisions. Enel Green Power plans to invest approximately \$1 billion per year over the next few years across the U.S. and Canada to build new wind, solar and battery storage projects.



As currently written, House Bill 2273 presents concerns for the wind industry. The following elements of the proposed legislation are of most concern:

- The 1.5 to 3-mile turbine setback language exceeds industry standards and would effectively prohibit wind development by making turbine array designs infeasible.
- The definitions of “residential property” and “airports” are too broad and could be used simply to block wind development.
- The proposed county permitting process infringes upon the property rights of landowners. Allowing adjacent counties to block a project if they have territory within an arbitrary setback distance restricts what Kansans in other counties can do with their private property.
- The requirement to provide written notice to every property within the setback area is onerous and infeasible for the size of the area suggested by the setback distances.

Passage of this bill as currently written would signal to the market that Kansas is not open for investment to the wind industry.

I want to thank the Committee for the opportunity to address this proposed legislation and I would be glad to answer any questions that the Committee might have relative to Enel Green Power and its investment in the State of Kansas.

Sincerely,

\s\Rob Stupar
Manager, U.S. Central Region
Regulatory and Institutional Affairs



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