

Before the Senate Utilities Committee

March 17, 2021

Neutral Testimony
On House Bill 2321

Submitted by Leo Haynos, Chief Engineer, Utilities Division
On Behalf of
The Staff of the Kansas Corporation Commission

Chair Thompson, Vice Chair Petersen, Ranking Minority Member Francisco, and members of the committee, thank you for the opportunity to provide testimony to your committee today on behalf of the staff of the Kansas Corporation Commission (Commission).

The Commission Staff is taking a neutral position on HB 2321. But I would like to use this opportunity to explain and highlight the KCC's role in siting of electric transmission lines, and its notice process regarding electric power line construction.

HB 2321 would require electric public utilities to provide notice to any city having a population of 300,000 or more in which an urban electric transmission line is to be constructed, provided the line is at least 2-1/2 contiguous miles long inside the city limits and planned to operate at voltages above 69,000 volts (69kV) but less than 230kV. Because the provisions of the bill would not apply to transmission lines operating at voltages of 230kV or higher, I would like to point out that any public utility transmission lines within a city limits that operate at 230kV or more would not be subject to Commission notice or siting oversight if they are less than 5 miles in length. Similarly, any transmission line operated by a municipality or a renewable generator would not be subject to the provisions of the bill or to Commission oversight.

Since 1979, K.S.A. 66-1,177 through 66-1,183 have required the Commission to review and approve routes for electric transmission lines greater than 5 miles in length and operating at voltages of at least 230kV. The line siting statutes are applicable to public utilities and to electric cooperatives.¹ The Commission does not have line siting authority over electric transmission lines operated by private electric power generators such as wind farms², nor does it have authority over electric transmission lines operated by municipalities within three miles of the city limits.³

Provisions of the Commission's Wire Stringing Rules, found in K.A.R. 82-12-1 through 82-12-9, require notification of construction or modification of any electric line operated by a public utility or electric cooperative if the line is greater than 1/2 mile long and is located outside of a city limits. The notice must be filed at least ten days before construction begins. Staff refers to these notices

¹ See K.S.A. 66-104b (b).

² See K.S.A. 66-104 (e).

³ See K.S.A. 66-104 (b).

as “Electric Line” or “EL” notices. Part of the filing requires the EL notice to be provided to any other utilities within ½ mile of the proposed construction route. The wire stringing rules require EL notices to be approved by the Commission. Staff’s review process of an EL notice consists of logging the application, reviewing it for completion and responding to any concerns raised by other utilities that may be affected by the construction.

This concludes my testimony, and I would be happy to answer any questions you may have on this matter.