

TESTIMONY ON SENATE BILL No. 383

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The City of El Dorado's philosophy when faced with building a new Wastewater Treatment Facility, was to build a facility that was not only incredibly efficient in returning clean water to the environment, but also create a place to teach future generations about taking care of the environment. Ten years ago we began that process by designing and building a constructed wetlands pilot to determine its ability to treat wastewater. These studies resulted in the construction of the first advanced wastewater treatment facility coupled with constructed wetlands, in the State. The incorporation of constructed wetlands saved the City nearly three million dollars in a downsized mechanical plant and earned the facility the National Environmental Project of the year award from the American Public Works Association. Building a wind turbine and running this facility with green energy seemed like a very natural and logical next step in continuing this philosophy. This would be the first in Kansas and maybe the first in the United States.

Our first step was securing a consultant, who recommended we meet with Westar to see if net metering would be an option. (I had no idea what net metering was at the time, but it seemed very important to our consultant). We met with Westar and they indicated net metering would allowed and later communicated this via email. Subsequent to Westar having committed to net metering in writing the City sought to flesh out what would need to be done to bring the project to a reality. In that vein, discussions were had with turbine manufacturers, design engineers, an environmental assessment was also completed, courtesy of the Department of Energy. At some point on that trajectory, Westar indicated that they would not be permitting net metering and explained they were forbade from doing so by KCC regulations. Subsequent to that the City discussed this matter with the KCC in an effort to determine if indeed Westar's claim was correct and we were told no, there were no regulations that forbid Westar from offering the City net metering. Following, Westar acquiesced to the information provided to us by the KCC, but indicated if it weren't a KCC mandate, at least it was an internal policy to not allow net metering for a one mega-watt wind turbine. At that juncture the City felt compelled to

hire counsel who had himself served on the KCC, to assist us in negotiating with Westar to try to get net metering or as close to net metering as we could get, so we could maintain the project. It bears mention that the project without net metering is not viable.

The City's efforts, to have a world class wastewater treatment facility and to even move into a stronger position of forward thinking by the addition of the wind turbine, were in jeopardy by virtue of Westar's position on net metering. After the City hired counsel and that person had been able to assist in getting us where we needed to be with respect to this project, the concern still remains, whether it's El Dorado seeking to have another wind turbine project or whether it's another City in Kansas. The current statutory scheme which mandates that Westar permit net metering for 200 kw or smaller turbines leaves out any community wind turbine project seeking a long term project with a return on investment. I'll explain.

We've all seen the small residential or commercial turbines scattered around the country not turning on a windy day. These smaller generation units are typically not built to the same robust standards as the turbines you see at wind farms. Many times they break and are not cost effective to fix. In addition to economy of scale, wind turbines one mega-watt and larger are designed and built to a very robust industrial grade standard, capable of giving 20 or more years of service. El Dorado's return on investment (ROI) for this project is about six to seven years. Without net metering it would be about 20 years.

Communities seeking to reduce their operating costs at their facilities, seeking to diversify energy production, to invest in renewable energy, need this legislation. Kansas ranks third in the nation in wind energy potential, but community wind has a difficult foothold in Kansas without the net metering legislation to support it. With this legislation, communities will have the necessary guidelines by which to approach Westar or their utility, and it wouldn't be each time kind of an ad hoc application and being completely at the mercy of Westar in terms of their discretion to allow or disallow net metering to take place. We live in a society and a world that's moving more and more in the direction of needing to be very efficient with how we produce and how we use energy. A world that is trying to as much as possible eliminate pollution, reduce our carbon footprint. A world that is striving to reduce our dependency on foreign oil. This bill will allow the citizens of Kansas to become involved in wind energy and I urge you to support SB 383.