AN ACT concerning the citizens' utilities ratepayers board; enacting the
Kansas ratepayers protection act; amending K.S.A. 66-1222 and 66-
1223 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. Sections 1 and 2, and amendments thereto, shall be
known and may be cited as the Kansas ratepayer protection act.

New Sec. 2. In order to best protect Kansas ratepayers in the most
efficient and effective manner, the citizens' utility ratepayer board shall
have no power or authority to modify, expand or abandon: (a) The board's
powers, duties and functions established by the legislature in K.S.A. 66-
1222(e), and amendments thereto; or (b) the consumer counsel's powers,
duties and functions established by the legislature in K.S.A. 66-1223, and
amendments thereto.

Sec. 3. K.S.A. 66-1222 is hereby amended to read as follows: 66-
1222. (a) There is hereby established a citizens' utility ratepayer board
which shall consist of five members appointed by the governor. Subject to
the provisions of K.S.A. 75-4315c, and amendments thereto, the governor
shall appoint one member from each congressional district and the
remainder from the state at large. The members of the board shall serve for
a term of four years. All vacancies in office of members so appointed shall
be filled by appointment by the governor for the unexpired term of the
member creating the vacancy.

(b) The board shall organize annually by the election from its
membership of a chairperson and shall adopt such rules of procedure as
the board deems necessary for conducting its business.

(c) The board shall hold such meetings as in its judgment may be
necessary for the performance of its powers, duties and functions.
Appointive members of the board shall receive compensation, subsistence
allowances, mileage and other expenses for attending meetings of the
board as provided by K.S.A. 75-3223, and amendments thereto.

(d) The state corporation commission shall provide such technical
and clerical staff assistance as may be requested by the board in the
administration of the provisions of this act.

(e) The board shall administer this act and shall have and may
exercise the following powers, duties and functions:
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1. (1) Employ an attorney as a consumer counsel;
2. (2) guide the activities of the consumer counsel, except the board shall not have authority to modify, expand or abandon the consumer counsel's powers, duties and functions under K.S.A. 66-1223, and amendments thereto; and
3. (3) recommend legislation to the legislature which in the board's judgment would positively affect the interests of utility consumers.

Sec. 4. K.S.A. 66-1223 is hereby amended to read as follows: 66-1223. The consumer counsel may exercise the following powers, duties and functions:

(a) Represent residential and small commercial ratepayers before the state corporation commission;
(b) function as an official intervenor in cases filed with the state corporation commission, including rate increase requests;
(c) initiate actions before the state corporation commission;
(d) represent residential and commercial ratepayers who file formal utility complaints with the state corporation commission;
(e) intervene in formal complaint cases which would affect ratepayers; and
(f) make application for a rehearing or seek judicial review of any order or decision of the state corporation commission; and
(g) communicate with any person or entity regarding matters which generally pertain to the powers, duties and functions of the citizens' utility ratepayer board and the consumer counsel.

Sec. 5. K.S.A. 66-1222 and 66-1223 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the statute book.