AN ACT concerning municipal energy agencies; relating to the state corporation commission, jurisdiction; amending K.S.A. 12-8,111 and repealing the existing section.

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

Section 1. K.S.A. 12-8,111 is hereby amended to read as follows: 12-8,111. (a) The provisions of K.S.A. 12-885 to through 12-8,109, inclusive, and any provisions amendatory or supplemental amendments thereto, shall constitute a certificate of public convenience, and any municipal energy agency is authorized to operate as a public utility pursuant to such provisions without obtaining a certificate described in K.S.A. 66-131-or any, and amendments thereto.

(b) Except with respect to such certificate described in subsection (a), any municipal energy agency created under the provisions of K.S.A. 12-885 to 12-8,109, inclusive, and any provisions amendatory or supplemental thereto, shall be subject to the jurisdiction of the state corporation commission in the same manner as a public utility as provided in subsection (c), a municipal energy agency is exempt from the jurisdiction, regulation, supervision and control of the state corporation commission.

(c) Nothing in this section shall be construed to affect the state corporation commission's authority over a municipal energy agency to regulate:
   (1) Charges, fees or tariffs for transmission services for such services to entities other than members of a municipal energy agency;
   (2) sales of power for resale other than sales allowed pursuant to K.S.A. 12-897 and 12-8,109, and amendments thereto;
   (3) wire stringing pursuant to K.S.A. 66-183, and amendments thereto; and
   (4) transmission line siting pursuant to K.S.A. 66-1,177, and amendments thereto.

Sec. 2. K.S.A. 12-8,111 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.