

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Jay Emler at 9:30 A.M. on February 19, 2007 in Room 526-S of the Capitol.

Committee members absent:

Committee staff present: Raney Gilliland, Kansas Legislative Research Department
Mike Corrigan, Revisor of Statutes
Tatiana Lin, Legislative Fellow
Ann McMorris, Committee Secretary

Conferees appearing before the committee:

Others in attendance: See attached list

SB 128 - Requiring certain electric utilities to provide energy conservation information to consumers, establishing the energy conservation promotion education advisory group

Chair asked Paul Snider, Kansas City Power and Light, to explain the reasoning for the six amendments proposed in a balloon to **SB 128**. (Attachment 1)

David Springe, CURB, offered his objections to their proposed amendment 6.

Martha Smith, Kansas Manufactured Housing Association, presented the suggestions agreed to by the Kansas Association of Realtors, Kansas Manufactured Housing Association and the Kansas Building Industry Association to add additional members to the KEC education advisory group in **SB 128**. (Attachment 2)

Leslie Kaufman of the Kansas Cooperative Council provided written acknowledgment of these proposed additional members and added a representative for agriculture. (Attachment 3)

Considerable discussion on the definition of the representative for agriculture and consensus it should be a person engaged in agriculture production - a farmer.

Chair opened for action on

SB 128 - Requiring certain electric utilities to provide energy conservation information to consumers, establishing the energy conservation promotion education advisory group

Moved by Senator Francisco, seconded by Senator Petersen, amend **SB 128** on page 1, line 18 by inserting the words "education and conservation" following the word 'with' and before the word 'standard'. Motion carried.

Moved by Senator Francisco, seconded by Senator Reitz, amend **SB 128** page 3, line 6-8 "(h) The regulated utilities shall be expected to pursue cost recovery for *design, development implementation, promotion, ongoing expense and evaluation costs* of these programs through the normal rate making process." Motion carried.

Moved by Senator Taddiken, seconded by Senator Reitz, amend **SB 128**, page 1, line 15, approve the insertion of the word "require" after the word 'shall' and delete the language "develop and administer a program requiring". Motion carried.

Moved by Senator Reitz, seconded by Senator Petersen, amend **SB 128**, page 1, line 20, delete the word "shall" and insert the word "may". Motion carried.

Moved by Senator Petersen, seconded by Senator Pine, amend **SB 128**, page 2, line 17-18, delete the language "which shall be defined as a percentage of energy consumption." Motion carried.

CONTINUATION SHEET

MINUTES OF THE Senate Utilities Committee at 9:30 A.M. on February 19, 2007 in Room 526-S of the Capitol.

Moved by Senator Francisco, seconded by Senator Taddiken, amend **SB 128**, page 2, lines 38-41 (f) to read as follows: The Kansas energy office of the state corporation commission and the Kansas Energy Council, with consultation from electric utilities shall annually submit a report to the ~~legislature~~ Senate and House Utilities Committees . Motion carried

Moved by Senator Francisco, seconded by Senator Reitz, amend **SB 128**, page 3, line 5, by deleting the language “for sale to consumers on a fee for service basis”. Motion carried.

Moved by Senator Apple, seconded by Senator Pine, amend **SB 128** on page 1 following Sec. 1 (b)(10) by adding six new members to the Energy Conservation Education Advisory Group as proposed in (Attachment 2) with the member representing agriculture to be engaged in agricultural production. Motion carried.

Moved by Senator Lee, seconded by Senator Reitz, **SB 128** be moved out favorably as amended. Motion carried.

SB 20 Kansas Underground Utility Damage Prevention Act

Senator Apple reported that two meetings had been held by the Subcommittee on **SB 20** and a two tier system was recommended. Senator Francisco noted tier one does not include potable water and this needs more definition. No action taken as time did not permit.

Chairman Emler announced that he would request that **SB 325** and **SB 20** be blessed.

Moved by Senator Reitz, seconded by Senator Apple, **SB 325** and **SB 20** be blessed. Motion carried.

Respectfully submitted,

Ann McMorris, Secretary

Attachments - 3