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Proponent Testimony on HB 2226
House Committee on Energy, Utilities & Telecommunications
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Chairman Delperdang, members of the Committee, thank you for this opportunity to submit this written testimony on behalf of AT&T in support of HB 2226. My name is Michael J. Ruffin, Regional Vice President – External & Legislative Affairs for AT&T Kansas.

The Kansas Underground Utility Damage Prevention Act (“KUUDPA”) is an important statutory framework that AT&T, as the state’s largest provider of telecommunications services, encounters and works very hard to comply with every day. Most Kansans likely do not know the exact requirements of KUUDPA or its relationship to the successful Kansas 811 center or the “Dig Safe” program – but they do seem to know to call 811 before they dig, and they do. As a result, as Kansas communities continue to grow and investment in infrastructure increases statewide, so does the demand for underground facility locates.

Every year for the past three years in Kansas, AT&T and its facility locate contractors, have processed more than 340,000 new locate ticket requests with the number of new requests increasing each year. In 2020, there were 341,913 new requests to locate AT&T facilities. In 2021, the number grew to 353,270 new locate ticket requests. In 2022, AT&T received 357,279 new requests and, already, the first 36 days of 2023 has seen 29,465 new locate requests for AT&T facilities. On average those number represent just under 1,000 new locate ticket requests per day and does not account for renewal requests. The continually growing demand for facility locates imposes significant costs and challenges for operators, excavators and locate contractors working hard to comply with the KUUDPA.

AT&T supports legislative efforts like those proposed in HB 2226: expanding the definition of “white lining” to allow the use of new technologies for marking excavation sites; extending the time period or “life” of a “notice of intent to excavate” from 15 to 20 days; and vesting the Kansas Corporation Commission with the authority to further adjust the “notice of intent” time frame as may be necessary, in order to assist Kansas facility operators, excavators and locate companies in addressing the constant and growing demand for facility locates. These proposed modifications alone may not fully alleviate all issues involving the large number of locate requests across Kansas, but they will help. AT&T respectfully requests and urges your support of HB 2226.

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