



Testimony Provided To
Senate Utilities Committee
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January 25, 2023

In Support of Senate Bill 49

Chairman Olson, Vice-Chairman Petersen, Ranking Member Francisco, and members of the committee,

This afternoon I appear before you on behalf of the Advanced Power Alliance and the forty-plus members of our organization which represent a diverse cross section of the world's leading energy companies, energy investors, energy consumers in the advanced power industry. Most of these organizations have business interests in Kansas via operating renewable energy projects or those under development, purchase power agreements, development headquarters or manufacturing facilities. Our member assets in Kansas span the state from the most densely populated to the least, from the fastest growing to those with the most rapid population decline. Since the first wind farm came online in 2001, the wind energy industry has invested more than \$15 billion private dollars in Kansas and created more than 20,000 direct and indirect jobs in both rural and urban Kansas with several billion dollars of new renewable energy projects in the pipeline. The State is home to the nation's first wind turbine technician certification program which has a 100% job placement rate. **The Advanced Power Alliance stands in support of SB 49.**

Senate Bill 49 is an outgrowth of the conversation started regarding light mitigation technologies in 2022. Through several hearings, experts have articulated the process by which light mitigation technology is deliberated. The process is driven by the Federal Aviation Administration (FAA) and they are the federal agency with ultimate authority over the safety of the airspace. The FAA makes lighting determinations through a variety of factors; proximity to airports, flight routes – commercial and military, and overall pilot and passenger safety being the principal reasons behind the lighting required on each individual turbine as well as all other structures fifty feet or taller.

SB 49 blends the requirement to apply to the FAA for light mitigation technologies with the understanding that the FAA is the final arbiter of whether light mitigation technology can be installed, if so, what type of technology could be employed and on what towers. SB 49 requires all new wind farms to apply to the FAA for approval for installation of light mitigation technologies on new wind farms, but would also allow wind farms to commence operation if they were still required by the FAA to have conventional lighting systems.

On point of note, is the effective date of SB 49. As written, the bill is slated to take effect January 1, 2023 which was likely a mere oversight and rather should be July 1, 2023.

A critical element of the legislation is New Section 2(B) dealing with a waiver of the timelines due to supply chain issues or market conditions. As discussed in committee, there are currently few

companies (two) that manufacture and install FAA approved light mitigation technology, and it is important to have some flexibility in the event that the developer cannot obtain the technology in the outlined timeframe. The industry is committed to moving forward in such a way that applying for light mitigation technology is just something we do every time we develop a new wind farm. This legislation ensures that fact.

The good faith put forward by those on the committee that helped draft this legislation will be borne out by what is built in the next few years. Even now, the two newest wind farms under construction in Kansas have both applied to the FAA for light mitigation technology. At least one has received FAA approval for such installation. We appreciate the work of the Senate Select Committee on Wind Turbine Lighting and the lawmakers that brought this bill to fruition.

Thank you and I would stand for questions.