

Approved:

Date March 14, 2012

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. On March 6, 2012 in Room 548-S of the Capitol.

All members were present except:

Sen. Jay Emler – excused
Sen. Terry Bruce – excused
Sen. Ty Masterson – excused

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes
Tamera Lawrence, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Heather O'Hara, Legislative Research Department
Ann McMorris, Committee Assistant

Conferees appearing before the Committee:

Tom Day, Kansas Corporation Commission (KCC)
Ed Cross, Kansas Independent Oil & Gas Association (KIOGA)
Patrick Parke, Midwest Energy, Inc.
Zack Pistora, Kansas Sierra Club

Others attending: See attached list.

Approval of Minutes

Moved by Senator Kultala, seconded by Senator Taddiken, to approve the minutes of the Senate Utilities Committee meetings held on February 13, 2012; February 14, 2012; and February 15, 2012. Motion carried.

Chair opened the hearing on:

HB 2436 - Concerning Public Utilities and Issuance of Certificate of Public Convenience

Tamera Lawrence, Assistant Revisor of Statutes, explained the purpose of **HB 2436** was to put a time limit on KCC to make a decision on an application for a certificate of public convenience within 180 days of receiving such application. (Attachment 1)

Proponents:

Tom Day, Kansas Corporation Commission, supports **HB 2436** as amended. (Attachment 2)

Chair asked if there were any other proponents, opponents or neutrals. Being none, the Chair closed the hearing on **HB 2436**.

Chair opened the hearing on:

HB 2526 - Oil & Gas; regulation of hydraulic fracturing

Tamera Lawrence, Assistant Revisor of Statutes, explained the purpose of **HB 2526** is to provide authority to the KCC to promulgate rules and regulations necessary for the supervision and disclosure of any well on which a hydraulic fracturing treatment is performed. (Attachment 3)

Proponents

Ed Cross, President, Kansas Independent Oil & Gas Association, KIOGA believes it is important to maintain the current state regulatory process and the KCC is the best place to address any hydraulic fracturing concerns. He also provided a paper on The Whole Fracking Story. (Attachment 4)

Tom Day, Kansas Corporation Commission (KCC), supports **HB 2526**. (Attachment 5)

Zack Pistora, Kansas Sierra Club, spoke in favor of **HB 2526** as it allows for more explicit oversight over hydraulic fracturing sites. (Attachment 6)

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on March 6, 2012, in Room 548-S of the Capitol.

Written only – Ken Peterson, Kansas Petroleum Council (Attachment 7)
Kevin McCotter, Chesapeake Energy Corporation (Attachment 8)
David Bleakley, Eastern Kansas Oil & Gas Association (Attachment 9)

Chair asked if there were any other proponents, opponents or neutrals. Being none, the Chair closed the hearing on **HB 2526**.

Chair opened the hearing on:
HB 2489 - Deregulation of natural gas public utilities cooperatives

Tamara Lawrence, Assistant Revisor of Statutes, explained the purpose of **HB 2489** is to permit a natural gas cooperative public utility to elect to be exempt from the jurisdiction, regulation, supervision and control of the KCC. (Attachment 10)

Proponents

Patrick Parke, Vice President Customer Service of Midwest Energy, Inc. noted **HB 2489** was beneficial to their customers. He voiced their support. (Attachment 11)

Chair asked if there were any other proponents, opponents or neutrals. Being none, the Chair closed the hearing on **HB 2489**.

Respectfully submitted

Ann McMorris
Committee Assistant

Attachments - 11