

Office of Revisor of Statutes
300 S.W. 10th Avenue
Suite 24-E, Statehouse
Topeka, Kansas 66612-1592
Telephone (785) 296-2321 FAX (785) 296-6668

MEMORANDUM

TO: Senate Committee on Utilities

FROM: Tamera Lawrence, Assistant Revisor of Statutes

DATE: February 5, 2013

SUBJECT: Senate Bill 82, Renewable Energy Portfolio Standards

Currently, K.S.A. 66-1258 requires the Kansas Corporation Commission (KCC) to establish a portfolio requirement, by rules and regulations, for all affected utilities to generate or purchase electricity generated from renewable energy resources or purchase renewable energy credits. Such portfolio requirement requires net renewable generation capacity of at least 10% of the affected utility's demand by 2011, at least 15% by 2016 and at least 20% by 2020.

Senate Bill 82 would extend the time frame an affected utility has to comply with the 15% and 20% portfolio requirements. Net renewable generation capacity of at least 15% would be required by the year 2018 and at least 20% by 2024. The bill also allows the KCC to delay the 15% and 20% requirements beyond 2018 and 2024 for an affected utility upon a showing of good cause. Good cause includes, but is not limited to, availability of firm transmission service or excessive costs to retail electric customers.

The bill defines "firm transmission service" as either firm point-to-point transmission service or firm network transmission service as defined in the southwest power pool open access transmission tariff or other applicable transmission tariff as approved by the federal energy regulatory commission.