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Good morning Chairman Emler and members of the Committee.

My name is Kimberly Gencur. I am Vice-President of Government Affairs and Community Relations for ITC Great Plains and I greatly appreciate the opportunity to testify before you this morning on this matter.

ITC Great Plains supports HB 2066 and the filing requirements with the Kansas Corporation Commission this bill intends to codify.

As many of you know, ITC Great Plains opened its doors in Kansas in July. Our business is new to the state of Kansas, but our business model is not new to the country as our parent company, ITC Holdings owns and operates 95% of the transmission facilities in Michigan and is in the process of acquiring the transmission assets owned by Alliant Energy in Iowa, Illinois and Minnesota. We are an independent transmission provider, focused solely on owning, operating, constructing and maintaining the transmission infrastructure across Kansas and in the Great Plains region. ITC Great Plains is committed to improving the state's transmission grid while providing access to low-cost energy for all Kansas electric customers. In that sense our role is very similar to that of the Kansas Electric Transmission Authority. We, at ITC Great Plains, are committed to working with all Kansas stakeholders including the state and local elected and appointed officials, the Kansas Corporation Commission, KETA, the municipal, cooperative and investor-owned utilities and community stakeholder groups to identify and solve transmission issues.

It is in that vein that we come before you today. When an electric utility wants to build a transmission line in the state they must make a series of filings before the KCC including:

- (1) Siting Application which details the specifics of the transmission line such as pin-pointing its route; noting all the impacted landowners; and how the utility will comply with environmental and historical preservation laws, to name a few;
- (2) EL filing which demonstrates that the utility is complying with the Wires Stringing guidelines and details the construction specifics for the proposed project;
- (3) Transmission rights or Form CC filing wherein the utility would request KCC approval to transmit energy across another utilities' certified territory;

In our review of the Kansas statutes, ITC Great Plains has not identified a statute requiring a transmission rights filing for an entity of our nature. We, just like KETA, will not have retail electric customers within a designated service territory. As an

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independent transmission company we will be a wholesale provider with a statewide certificate.

This bill would change the statute from mandating that a **retail electric provider** make the transmission rights filing to requiring any **transmission facilities owner**, including ITC Great Plains, KETA and the retail electric providers, to make such a filing when constructing transmission facilities that may encroach in another provider's certificated territory.

Thus, ITC Great Plains views House Bill No. 2066, specifically Section 1 (b) as clarifying the regulatory procedures for transmission facility owners whether they may be a private company like ITC Great Plains or an entity like KETA. We also believe that House Bill No. 2066 does not adversely affect the incumbent utilities as this change does not alter their filing requirements or procedures.

ITC Great Plains supports, but does not have substantial comments on the new Section 2 (4) which clarifies siting guidelines for upgrading existing transmission facilities.

HB 2066 passed the House 122-0 after unanimously passing the House Energy & Utilities Committee following an amendment proposed by the KCC, supported by ITC Great Plains which clarified the definition of transmission provider. A transmission facilities owner had not previously been defined in statute and the KCC offered language to appropriately do so. The amended language can be found on page 3 lines 8-12.

I appreciate the opportunity to speak before you this morning. Carl Huslig, President of ITC Great Plains is also here this morning. We are happy to stand for questions at the appropriate time.