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**Comments on SB 20
Before the Senate Utilities Committee
January 23, 2007**

Mr. Chairman and Members of the Committee:

My name is Elmer Ronnebaum. I am General Manager of the Kansas Rural Water Association. The Association has membership of nearly 295 rural water districts and 465 cities. The Association appreciates the opportunity to comment on Senate Bill 20.

While there is concern by utilities and contractors alike to avoid damage to underground facilities, many city and rural water districts are unable to locate their pipelines, and certainly not with the 2-foot tolerance as required by the present One Call process. If water systems are unable to locate their lines the risk of loss to their lines or damages shifts to them, even if the line is in private easement. A water system could not show negligence (triggering liability on the excavator) if the water supply cannot locate its lines. However, the zone of tolerance and the time frames involved add to the responsibilities of the utilities and their potential for failure to meet those standards increases substantially as members of One Call. While it may be beneficial for a uniform notification process, the mandatory participation will not help any system locate their facilities. Those are the reasons the Kansas Rural Water Association opposes mandatory participation of public water and wastewater systems in Kansas One Call.

The situation could be much more palatable for water and wastewater systems if they could charge excavators for locate charges. There may be some difference between those located in private easement compared to those that are in public right-of-way.

The Kansas Water Office, the Data Access & Support Center (DASC) and the Kansas Rural Water Association recently completed the re-mapping of all service areas of all rural water districts in Kansas. These are available electronically in pdf format and could be transferable to One Call. Presently, the project is also being printed in a county-by-county format to show the overlaps of the individual water systems. The individual water system pdfs include all points of interconnection, all transmission lines from those interconnects to pumps, tanks and from wells or treatment plants, basically any major feeder line going to another facility in that system. Those would be the most important to the utility to protect.

As far as not being able to determine who to call in the systems, I commented during the interim hearing that KRWA has a publicly accessible database online that provides a variety of contacts and phone numbers for every member water system in Kansas -- and the 125 non-members of the Association could

be easily added. It would be simple to have the utility identify a special contact for notification purposes. Kansas Rural Water Association would make that database available to One Call. This database could be provided transparently, online.

Again, the frustration with the present One Call process is the number of wasted tickets and time involved in attempting to make locates and to deal with callbacks. In many cases, the contractor who is making the request is not aware of the location of the excavation. Often, the contractor who is to perform the actual work has not yet been provided a work order.

It is important to improve the process without further loading the burden totally onto the public water and wastewater utilities. There would be support for membership if One Call would advise the excavator making the request to contact the respective RWD or city to further determine the locates. Public water and wastewater utilities take seriously the responsibility to attempt to locate their facilities.

Kansas Rural Water Association supports having all new facilities be locatable. Most cities and rural water districts have difficulty locating their water or wastewater utilities based on the conventional 'as-built' maps. More accurate technologies are available and should be utilized. Approving agencies could implement such requirements in regulation.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Elmer Ronnebaum".

Elmer Ronnebaum
General Manager