



KANSAS GAS SERVICE

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Before the Senate Utilities Committee
Testimony on HB 2461
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Chairman Emler and Members of the Committee,

Thank you for the opportunity to address your committee this morning about our concerns with the restoration of service to our customers that have unfortunately been severed from their supply of gas and are awaiting the completion of our work to return their lives back to normal.

Hours of Service (HOS) regulations have been in effect for many years. In 2001, Kansas adopted the federal Department of Transportation (DOT) regulations. The unintended consequence of this law and the succeeding regulations is that it captured utility truck drivers. The current transportation bill in Congress contains an exemption for utility truck drivers and U.S. Representative Jerry Moran has made assurances that this bill should be passed this year, but exact timing is uncertain. Until that time, utility service vehicle drivers must comply with the federal DOT regulations or face penalties. Utilities, such as Kansas Gas Service, are regulated by the Kansas Corporation Commission and have an obligation to serve every customer without discrimination 24 hours a day, seven days a week (24/7).

We serve some remote areas of the state and even though our service centers are strategically located, outages occur in areas to which it may take some time to respond. For instance, an outage could take several hours to work and would therefore place the crew outside the Hours of Service limits, and if complete they still have to drive back to their office of origin. Our options at this point are:

1. Request a "state of emergency" from one of the following: a local county commission chair, the governor of Kansas, the Federal Motor Carrier Safety Administration (FMCSA) administrator in Chicago or the President of the United States, or;
2. Have the crew stop restoration efforts and return to their home, while a second crew is sent from the same or another service center to continue the restoration work. Assuming a second crew has met their rest period.

Through discussions with the Kansas Division of Emergency Management (KDEM), the Kansas Highway Patrol, the Kansas Corporation Commission and several county emergency managers, the initial consensus had been if the number of counties involved is less than six, the utilities would request the emergency from each individual county commission chairperson. If six or more counties were involved, the utility would make their request through the 24/7 KDEM notification number. However, in practice this guidance did not work as well as planned. Since the guidance was distributed by KDEM, there have been at least 5 instances where a Kansas utility had contacted a local county emergency manager to request an emergency declaration to be exempted from the HOS limits and been denied or questioned extensively to the point where management of the utility needed to be called. Two of those instances were for gas leaks at a single-family residence. It is not fair to say these types of events are emergencies in the classic sense of the ice storm in January in Wichita or the tornado in Pittsburg last year. However, when you are dependent on gas service and an outage occurs, an emergency exists for you. The only time-efficient way to serve our customers, as we are obligated by the KCC, is to request an emergency be declared via a one-call system. In this way we can continue to work to get service restored quickly regardless if it's one household or several thousand.

House Bill 2461 addresses the need of the utilities to have a single 24/7 number to call to request the emergency declaration. The logical group to provide this service is KDEM. They have the system in place. It's been used consistently for many years. We have used it for large-scale declaration requests and it works very well. Their personnel are skilled in the process and provide quick response. This system prevents a utility from tracking down the local emergency manager or his/her backup. All we want to ensure is to be sure the residents of Kansas have their gas restored as quickly as possible while adhering to federal and state regulations. A one-call system is the best way to accomplish this.

Kansas Gas Service strongly supports House Bill 2461 and urges the committee to pass it out favorably. Having this system in place will provide consistency for our dispatchers and quick response to Kansas's residents.

Again, thank you for the opportunity to address you this morning. I will be glad to stand for questions at the appropriate time.