

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:08 a.m. on February 21, 2005 in Room 231-N of the Capitol.

All members were present except: Representative Bonnie Huy - Excused
Representative Judy Showalter - Excused

Committee staff present: Mary Galligan, Legislative Research
Dennis Hodgins, Legislative Research
Mary Torrence, Revisor of Statutes
Jo Cook, Administrative Assistant

Conferees appearing before the committee:

Representative Frank Miller, Independence, KS
Steven Potter, Sedan, KS
Ed Jaskinia, Associated Landlords of Kansas, Topeka, KS
Kim Gulley, League of Kansas Municipalities, Topeka, KS
Carl Huglig, Aquila, Kansas City, MO
Susan Cunningham, Kansas Corporation Commission, Topeka, KS
David Springe, Citizens' Utility Ratepayers Board
Mark Schreiber, Westar Energy, Topeka, KS

Others attending: See Attached List

HB 2263 -Kansas electric transmission authority

Chairman Holmes reconvened the debate on **HB 2263**. Representative Krehbiel distributed a balloon for the committee's consideration (Attachment 1). Representative Krehbiel moved the adoption of the balloon. Representative Sloan seconded the motion. The motion carried. Representative Sloan moved to recommend HB 2263, as amended, favorable for passage. Representative Svaty seconded the motion. The motion carried. Representative Krehbiel will carry the bill.

HB 2279 - Municipal utility services; liens for unpaid charges, exceptions

Chairman Holmes opened the hearing on **HB 2279**.

Representative Frank Miller, sponsor of **HB 2279**, addressed the committee in support of the bill (Attachment 2). Mr. Miller said that the new language brings trash and refuse removal service under the same condition as water and sewer service. He stated that it was important landlords be protected from irresponsible tenants.

Ed Jaskinia, on behalf of the Associated Landlords of Kansas, addressed the committee as a proponent of **HB 2279**. He told the committee that landlords could now have tax liens placed on their property if a tenant fails to pay for their trash removal services.

Steven Potter testified in support of **HB 2279** (Attachment 3). As a landlord, Mr. Potter has experienced receiving charges for waste removal on renters who did not pay their bills. He was told the charges would be added to their tax statements along with late charges and a service fee.

Kim Gulley, Director of Policy Development & Communications for the League of Kansas Municipalities spoke to the committee as an opponent to **HB 2279** (Attachment 4). Ms. Gulley explained why there are allowances for cities to collect unpaid solid waste disposal fees from landlords when tenants do not pay.

The conferees responded to questions from the committee.

Chairman Holmes closed the hearing on **HB 2279**.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES, Room 231-N, Statehouse, at 9:08 a.m. on February 21, 2005.

HB 2465 - Time limit for KCC action on electric utilities' recovery of transmission costs

Chairman Holmes opened the hearing on **HB 2465**.

Carl Huslig, Vice President Transmission for Aquila Networks, testified in support of **HB 2465** (Attachment 5). Mr. Huslig told the committee that this bill changes the regulatory clock for response to bifurcation filings at the corporation commission.

Susan Cunningham, General Counsel for the Kansas Corporation Commission, addressed the committee in opposition to **HB 2465** (Attachment 6). Ms. Cunningham said that Commission staff was currently working with two companies on bifurcation filings, neither of which had been filed, and placing a regulatory clock on these types of proceedings could be detrimental to both parties.

David Springe, Consumer Counsel for the Citizens' Utility Ratepayer Board, appeared as an opponent to **HB 2465** (Attachment 7). Mr. Springe stated that CURB believes this type of artificial time constraint is not good for the public and that 90 days is far too short for this type of review.

Mark Schreiber, Manager Government Affairs for Westar Energy, spoke in opposition to **HB 2465** (Attachment 8). Mr. Schreiber said that the 90 day window provided in the legislation may be too short of a period of time to perform the complicated process if a bifurcation filing.

The conferees responded to questions from the committee.

Chairman Holmes closed the hearing on **Hb 2465**.

The meeting adjourned at 10:33 a.m.

The next meeting is Tuesday, February 22, 2005 at 9:00 a.m.