

**Before the Joint Committee on Energy and Environmental Policy  
Comments by the  
Staff of the Kansas Corporation Commission  
October 17, 2011**

Thank you, Chairman Holmes and members of the Committee. I am Leo Haynos, Chief of Gas Operations and Pipeline Safety for the Kansas Corporation Commission. I am appearing today on behalf of the KCC Staff to discuss the role the KCC takes when planning for or responding to emergency situations. As you may know, within the KCC there are four operating divisions:

- Utilities, which includes operating sections for energy, telecommunications, and pipeline safety;
- The Energy Office which provides assistance for energy conservation and renewable energy projects;
- Conservation, which includes oil and gas production operations; and
- Transportation, which provides safety compliance and economic authority of the motor carrier industry.

For any of our divisions, our roles in emergency management may differ slightly but are mainly concerned with making sure the entities we regulate are prepared to respond to any type of emergency. The KCC has long recognized that utilities need to plan for emergency response when service disruptions occur. Docket 106,210-U formally addressed this obligation for gas utilities in the 1970's by establishing customer priorities for the use of gas in the event of a shortage. The priority categories are included in the current natural gas public utility tariffs and are reviewed annually by the gas distribution utilities. In Docket 02-GIME-365-GIE, the Commission established electric reliability requirements which, among other things, oblige all electric public utilities to have the capability to respond to electrical outages. The required capabilities include prioritization of restoring service to customer categories. In addition to the KCC electric reliability docket, the North American

Electric Reliability Corporation (NERC)<sup>1</sup> has very specific procedures and requirements to assure the reliability of the regional electric supply grid<sup>2</sup>. With regard to telecommunications carriers, the Commission established additional reporting requirements for all eligible telecommunications carriers in Docket 06-GIMT-446-GIT. Among other things, the carriers are required to provide detailed information on any outage lasting at least 30 minutes for any facilities that could potentially affect at least 10% of the end users in a service area, or that could affect 911. The Commission further requires eligible telecommunications carrier applicants to demonstrate that they have sufficient back-up power to remain functional without external power in emergency situations.

### **KCC ROLE IN RESPONDING TO EMERGENCIES**

In addition to assuring that public utilities have adequate plans for emergency response, the KCC also participates in responding to an emergency through the duties assigned to the Commission by the Kansas Response Plan (KRP). The KRP applies to all State government departments and agencies that are tasked to provide assistance in a disaster or emergency situation. It describes the fundamental policies, strategies, and general concepts of operations to be used in managing the emergency from its onset through the post disaster phase. The KCC and the Kansas Department of Emergency Management (KDEM) are assigned as the joint primary agencies responsible for managing the state response to energy emergencies. ESF #12 is attached to my testimony for your reference.

In addition to participating in the KRP, K.S.A. 74-616(e)<sup>3</sup> requires the KCC to prepare an emergency management plan to prioritize the allocation of natural gas and electricity during an emergency declared by the Governor. The stated purpose of ESF #12 “is to provide a framework to support

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<sup>1</sup> On July 20, 2006, the Federal Energy Regulatory Commission (FERC) certified the NERC as the Electric Reliability Organization (ERO) for the United States. Previously compliance with NERC requirements and guidelines was done on a voluntary basis. Under the provisions of the Energy Policy Act of 2005, a FERC approved ERO has the legal authority to levy fines and penalties for noncompliance with reliability requirements, including requirements for emergency restoration procedures.

<sup>2</sup> These requirements, including requirements for black start procedures in the event of a regional blackout, are developed by NERC and audited and enforced by the Southwest Power Pool (SPP), the local regional reliability council.

<sup>3</sup> K.S.A. 74-616(e) In administering the provisions of this act the state corporation commission shall:...(e) prepare an emergency management plan for natural gas and electric energy to be adopted during activation of emergency support function 12 of the Kansas response plan .... which plan shall include the system of priorities for natural gas and electric energy allocation and curtailment of energy resources consumption established under K.S.A. 74-620, and amendments thereto.

energy and utility restoration activities through all phases of emergency management response when activated.” The requirements referenced in the above Dockets establish that priority for gas and electric public utilities, but the docket requirements have not been integrated into a formal plan. Also, we have not established the same requirements as listed in the Dockets for energy supplied by municipal and cooperative utilities. Page 267-268 of the attached ESF #12 lists a series of tasks for which the KCC is responsible. A series of tasks for which the KDEM is responsible is also listed for responding to an energy-related emergency. The Plan requires the KCC to work with the KDEM whenever the ESF is activated and some tasks are assigned to both agencies. KDEM, however, is solely responsible for the task of mitigation. That is, providing funding opportunities and reducing the potential for damages from future disasters.

Other than assisting in the drafting of the ESF #12, the KCC Staff has not developed the required planning document that provides guidelines for implementation of its task list in ESF #12. We have also not adopted rules and regulations pursuant to K.S.A. 74-620 for establishing a system of priorities for the allocation of available natural gas and for electricity or the curtailment of consumption regarding these resources during and ESF #12 activation. Instead, staff has been relying on the detailed emergency response plans developed by each public utility.

**KCC JURISDICTION AND RELEVANT STATUTES:**

As with any governmental agency, the regulatory authority for all our actions is limited to those areas over which we have jurisdiction. I think it is important to note from that the KCC has very limited jurisdiction over municipally operated utilities and electric cooperatives, and we have no jurisdiction over propane, motor fuel supply, interstate transmission of energy or interstate telecommunications.

The natural disasters that Kansas has experienced over the last few years demonstrate that response and recovery of the utility sector is a vital part of a disaster recovery effort and that the approach to emergency response that we have adopted works well. As I said earlier, the role of the KCC in emergency management is mainly concerned with preparedness. We require that the utilities plan for

eventual emergencies and leave the execution of those plans to the experts who deal with utility operations on a daily basis. During a recovery effort, our role is usually to provide information and make sure that our regulations that govern day-to-day normal operations do not hamper recovery efforts.

This concludes my testimony and I would be happy to answer any questions you may have.

**CHAPTER 74—STATE BOARDS, COMMISSIONS AND AUTHORITIES**  
**Article 6.—STATE CORPORATION COMMISSION**

**74-616. State corporation commission; powers and duties relating to energy resources.**

In addition to other powers and duties provided by law, in administering the provisions of this act the state corporation commission shall:

- (a) Adopt rules and regulations necessary for the administration of this act;
- (b) develop a comprehensive state energy conservation plan and the procedures for implementing the plan according to federal requirements;
- (c) make requests for and accept funds and other assistance from federal agencies for energy conservation and other energy-related activities in this state, including, but not limited to, the state energy program;
- (d) administer federal energy conservation programs in this state;
- (e) prepare an emergency management plan for natural gas and electric energy to be adopted during activation of emergency support function 12 of the Kansas response plan established under K.S.A. 48-920 et seq., and amendments thereto, which plan shall include the system of priorities for natural gas and electric energy allocation and curtailment of energy resources consumption established under K.S.A. 74-620, and amendments thereto.

**74-619. Proclamation of state of disaster emergency by governor when demand exceeds energy supply.**

(a) Except as provided for in K.S.A. 48-924, and amendments thereto, whenever it appears from an evaluation of conditions in the state by the governor that the supply of natural gas and electric energy is inadequate to meet the demand for such energy in the state or any geographic areas of the state and that the public health, safety and welfare are threatened thereby, the governor may proclaim that a state of disaster emergency exists pursuant to K.S.A. 48-924, and amendments thereto.

**74-620. Same; system of priorities for energy resource allocation; rules and regulations.**

The state corporation commission shall adopt rules and regulations establishing a system of priorities for the allocation of available natural gas and electric energy or for the curtailment of the consumption of such natural gas and electric energy, or both, during an activation of emergency support function 12 of the Kansas response plan proclaimed by the governor pursuant to K.S.A. 48-920 et seq., and amendments thereto. Such rules and regulations shall apply to all suppliers and consumers of natural gas and electric energy.

**74-621. Same; unlawful acts, penalty.**

It is unlawful during any energy resources emergency proclaimed by the governor under K.S.A. 74-619 for any person to intentionally violate any provision of the system of priorities for the allocation of available energy resources or for the curtailment of the consumption of such energy resources, or both, established by any rule and regulation adopted by the state corporation commission under K.S.A. 74-620. Such violation of any such provision by any person is a class C misdemeanor.

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# ESF #12-Energy and Utilities

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## Planning Team

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### ESF Coordinator:

KDEM

### Primary Agencies:

- KDEM
- KCC

### Support Agencies:

KSNB

### Non-governmental Organizations:

- Kansas City Power and Light
- Kansas Gas Services
- Kansas Propane Education and Research Council
- Kansas Rural Electric Cooperative Association
- Kansas Water, Wastewater, Gas & Electric Mutual Aid
- Petroleum Marketers and Convenience Store Association
- Propane Marketers Association of Kansas (PMAK)

### Federal Agencies:

### Private Sector:

- Westar Energy
- Midwest Energy
- Black Hills Corp
- Empire Electric

## Purpose

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The purpose of ESF #12 is to provide a framework to support energy and utility restoration activities through all phases of emergency management response when activated by federal or state authorities. Consisting of public and private member agencies, ESF #12 outlines the scope, policies, concept of operations and responsibilities necessary for a comprehensive approach to fulfill the mission of ESF #12.

For ESF #12 purposes, the following items are defined as:

- **"Energy"** refers to the electricity, natural gas, and petroleum products transmitted through utility systems;
- **"Utilities"** refers to the comprehensive system which generates, transmits, distributes, and maintains energy for public consumption.

## Scope

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The activities within the scope of this function include, but may not be limited to:

1. Estimate number of customers without specific utility (electricity, natural gas, petroleum, etc);
2. Assess energy and utility system damages;
3. Estimate the time needed for restoration of utility systems;
4. Support the restoration of utility services;
5. Assist in assessing emergency power needs and priorities;
6. Coordinate restoration efforts with utility providers to prioritize emergency power needs;
7. Assist in obtaining emergency power generation capabilities for critical infrastructure and essential facilities;
8. If appropriate, assist energy suppliers and utilities in obtaining equipment, specialized labor, and transportation to repair or restore systems;
9. Provide emergency information, education, and conservation guidance concerning energy and utility systems.

## Policies

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### General Policies

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- a. ESF #12 addresses significant disruptions in electric, natural gas, and petroleum supplies for any reason, whether caused by physical disruption of energy transmission and distribution systems, unexpected operational failure of such systems, or unusual economic or international political events;
- b. Restoration of normal operations at energy facilities is the responsibility of the facility owners;
- c. Public utilities will be required to maintain a list of energy-centric critical assets and infrastructures, and continuously monitors those resources to identify and correct vulnerabilities to energy facilities; and
- d. Operators of utilities providing natural gas or electric service are required by federal and state agencies to establish and maintain emergency operations plans to adequately respond to and recover from emergencies which affect the public.

## Concept of Operations

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### General

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When electric utility operating reserves are nearly exhausted and there is an imminent possibility of interruption or loss of firm load, threat of distribution service disruptions due to storm or accidents, or when other energy supplies such as natural gas are disrupted, an appraisal of the situation is made and action is taken by the affected utility company. Curtailment of natural gas customers, if necessary, is done by service priority, according to the natural gas supplier's or distributor's curtailment plan.

### Energy Transmission

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#### Electric Transmission

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**Municipal Utility:** An electric generation, transmission and/or distribution utility or natural gas utility publicly owned by a city, municipality, or other public entity (electric and natural gas).

**Cooperative Utility:** A not-for-profit utility owned by those (members) who use its services. Electric cooperatives generate and purchase wholesale power, own or arrange for the transmission of that power, distribute power, and aggregate power purchases for consumers (electric only).

**Investor-owned Utility (IOU):** A stockholder-owned power company that generates, transmits, and distributes electric energy and/or natural gas for a profit.

### Natural Gas Transmission

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**Intrastate gas transmission:** A private pipeline company that transports and/or stores natural gas and is subject to the authority of the Kansas Corporation Commission. Customers of gas transmission companies include municipal and investor owned utilities that provide retail natural gas service.

**Interstate gas transmission:** A private pipeline company that transports natural gas across state lines and/or stores natural gas. Interstate gas transmission operators are subject to the authority of the Federal Energy Regulatory Commission (FERC) and the Pipeline and Hazardous Materials Administration (PHMSA) of the USDOT. Customers of gas transmission companies include municipal and investor owned utilities that provide retail natural gas service.

### Petroleum Transmission

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The distribution of petroleum is composed of the following elements:

- 1) **Fuel Rack:** The fuel rack is the location fuel is stored after processing at the refinery. The rack is the fueling point for tanker trucks (which can haul 2500-9000 gallons);
- 2) **Distributors:** Distributors typically receive fuel from the rack and resale to retailers; and
- 3) **Retailers:** Retailers typically buy fuel from the distributors and sell at gas stations, convenience stores, card locks or off-tank wagons.

## Coordination

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### Permitting

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#### *KDHE Land Disturbance Permit*

Restoration or other projects that disturb less than one acre of soil do not need a construction storm water permit coverage but appropriate erosion and sediment control practices are still expected as causing a water quality violation is not acceptable. While projects that disturb more than one acre of soil need permit coverage, projects that disturb from one to five acres for maintenance activities can also be, under federal regulation, waived from obtaining permit coverage by the permitting authority. KDHE would still require appropriate erosion and sediment control. KDHE would be concerned with any soil disturbing activity near an Exceptional State Water, or waters declared as an Outstanding National Resource Waters, or disturbance of soils that are known to be

contaminated. KDHE recommends that standard details for erosion and sediment control be developed for various situations, i.e. stream areas, steep slopes, etc.

Following restoration of power, or sooner if possible, assessments should be made of the areas of soil disturbance, and personnel should initiate erosion and sediment control to address the disturbed areas. KDHE's Bureau of Water should be notified to report and request guidance on response and permitting needs. If determined to be appropriate by KDHE staff, organizations disturbing land should submit an NOI, appropriate paperwork, and fee so that the construction storm water permit may be processed. It is anticipated that many of these sites have already been disturbed during original construction so coordination with the Kansas Historical Society and KWP may be waived.

### *HazMat Spill Reporting*

In the event an emergency causes the release HazMat from multiple transformers the following process will be followed:

- a) The utility contacts KDHE to provide initial report for widespread damages with the potential of multiple transformer spills;
- b) KDHE starts a single report that records the date/time of event, geographic location of event, and estimated number of spills that are known;
- c) Utility provider records locations of spills and submits detailed spill report information after their initial response; and
- d) Utility providers coordinate with KDHE on what information needs to be collected at individual sites and any additional documentation needed after the response.

During the emergency work, utility providers collect samples from transformers that may contain PCBs and apply appropriate waste removal and disposal procedures when transformer oil is contaminated with 50ppm or greater PCBs.

### *Right of Way Permitting*

Right of way permitting concerning the emergency repair of utilities is governed by the "KDOT Utility Accommodation Policy" dated October 23, 2007. Specifically the policy states:

- a) Emergency repair of utilities located on highway right-of-way, including Interstate and other Fully Controlled Access Highway right-of-way, is permissible without first obtaining a Highway Permit, if an emergency exists that is dangerous to the life, safety or welfare of the traveling public and requires immediate repair. The utility company shall take all reasonable safety measures and temporary traffic control measures consistent with the (MUTCD) or the State of Kansas Traffic Control Standards, to protect the traveling public during repairs and cooperate fully with the KHP and KDOT; and
- b) The utility company will advise the Area and District office of the location as soon as possible but no later than 24-hours after discovering the emergency. The Utility Company will coordinate with KDOT on the work and traffic control. Any damage to the right-of-way will be restored in accordance with Section VII - A, "Disturbed

Areas." A Highway Permit should be requested by the utility company within the second working day after the emergency, unless the work is covered under the "Standing Permit".

## Petroleum Distribution: Emergency Fuel

Partnering with the Petroleum Marketers and Convenience Store Association in Kansas (PMCA), in the event of a possible fuel shortage, the following options are available:

- a. KDEM (or any emergency agency) should contact the PMCA office with a request for assistance and PMCA will be responsible to mobilize fuel distributors to affected areas of the state;
- b. PMCA would respond in a reasonable amount of time (1-6 hours depends on whether roads are passable) and have 7500 gallons of fuel available;
- c. PMCA has the ability to access fuel distributors from across the state and request assistance;
- d. Fuel distributors have the ability to fuel emergency vehicles and generators by wet hosing (fuel off the trucks) or if needed provide portable tanks to store fuel;
- e. Fuel shortages can occur, however, with the help of PMCA fuel can be accessed in other states. Also, many fuel distributors have bulk storage giving us the ability to have access to fuel with short notice; and
- f. If a fuel depot is commandeered by emergency responders, PMCA will provide volunteers to dispatch fuel to emergency vehicles and equipment.

## Utility Restoration: Emergency Response

Electric utilities shall follow their pre-established "Power Outage Recovery Plans" and "Emergency Operations Procedures Manuals" during the restoration process. Typically these restoration plans prioritize recovery in the following manner:

- a. Transmission;
- b. Substation;
- c. Feeder (main artery);
- d. Laterals; and
- e. Service (individual).

## Utility Logistical Support

### Staging Areas

Utility companies may require the establishment of staging areas to support restoration efforts. Typically these areas are identified, established, and managed absent the assistance from state emergency operations. In the event assistance is required, the utility company will request assistance from the local emergency management organization. If the local emergency management organization is unable to fill such requests, ESF #7 may assist in locating appropriate areas.

Security at these staging areas is the responsibility of the utility provider. If private security is unable to be deployed, or there is an expected delay in deployment, the utility provider may request security assistance from the local emergency management organization. If the local

emergency management organization is unable to fill such requests, ESF #13 may assist in filling security requests. The cost of such security will be the responsibility of the private utility provider.

#### Security for Home Entry

If natural gas supplies are disrupted to customers, natural gas providers must physically enter customer's residences to re-ignite natural gas appliances. If and when logistical support is needed to provide security for personnel safety or home entry, the natural gas provider may request security assistance from the local emergency management organization. If the local emergency management organization is unable to fill such requests, ESF #13 may assist in filling security requests.

### Utility Mutual Aid

#### Midwest Mutual Assistance Group (MMAG)

MMAG is a coordinated agreement among investor owned electric utilities stating they may be available to provide personnel, equipment and material assistance during emergencies.

#### Kansas Cooperative Mutual Aid Agreement

The Kansas electric cooperatives coordinate assistance under the Kansas Electric Cooperatives Mutual Aid Agreement. The agreement was created by the managers of distribution electric cooperatives in the state and establishes the terms and conditions under which personnel and equipment is provided to utilities requiring assistance in disaster situations.

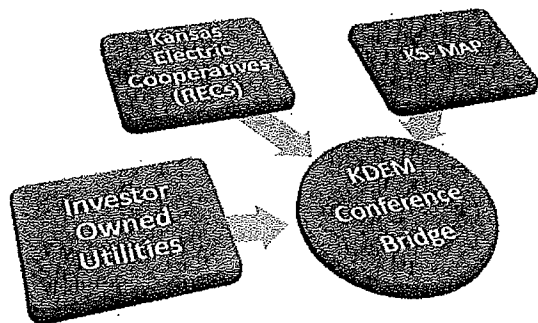
#### Kansas Water, Wastewater, Gas & Electric Mutual Aid Program (KS- MAP)

The mission of KS-MAP is to support and promote statewide emergency preparedness, disaster response and mutual assistance for utility systems in the state. Through this program, municipalities and rural water districts can access a network of resources and assistance including emergency and other maintenance equipment, materials, communication devices and most important, other people who know utility operations.

### Notification of Outages

Service providers are strongly encouraged to notify KDEM of any expected or occurring service outage that has the potential to affect significant portions of the residents of an impacted area, or significant number of critical infrastructure/service providers. This will allow KDEM to monitor and prepare to support local response efforts if needed.

When widespread power outages are expected and/or occurring, KDEM will provide a conference call bridge for electric providers to report outages. The conference call will be organized in the following manner:



ESF #12 will provide a standard reporting form for the conference calls which includes the following information:

- a. Company reporting;
- b. Service area;
- c. Number of outages;
- d. Expected restoration timeframe; and
- e. Impediments to restoration.

## Organization

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KDEM is responsible for coordinating the functions of ESF #12 and for bringing in additional resources from other federal and state agencies, as needed.

During an emergency or disaster KDEM and/or the KCC, as the primary agencies, will assign personnel to the SEOC. Support agencies are available as needed for specific issues and are accessed through their respective ESFs in the SEOC.

The ESF #12 primary agency will report directly to the public infrastructure branch director, if activated, or the response section chief.

## Notification

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- a. KDEM will notify the ESF #12 primary agencies when an area of the state is threatened or has been impacted by an emergency or disaster event;
- b. Conversely, it is the responsibility of the primary agency of ESF#12, or any other tasked agency, to notify KDEM when having knowledge of such threat;
- c. The designated agencies notified will report to the SEOC if so advised or requested by the KDEM;
- d. If additional support is necessary; the ESF #12 primary agency will contact the supporting agencies and request applicable support activities;
- e. The Coordinator will notify all ESF #12 primary and support agencies and will continue to update those agencies as the situation progresses; and
- f. The agencies designated to report to the SEOC will notify their agency personnel of the impending or actual event.

## Direction and Control

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- a. Activities will be coordinated through the SEOC, which will serve as the source of all direction and control;

- b. The TAG or his/her KDEM designee provides direction and control for ESF #12 to include mission assignments, mutual aid, SEOC Team, contracts for goods and services, recovery, and mitigation activities;
- c. Agencies of ESF #12 may serve the SEOC Team in Field Operations (i.e., the KAT, JFO operations, DRC operations, intrastate and/or interstate mutual aid assistance, etc.);
- d. When a request for assistance is received by ESF #12 it is assigned to the agency or agencies that have the most appropriate resources and expertise to accomplish the task; and
- e. KDEM will assist in the coordination of federal response efforts under the provisions of a presidential disaster declaration.

## Actions

ESF #12 will be responsible for coordinating energy and utility preparedness, mitigation, response, and recovery efforts on an on-going basis. These efforts include:

### Mitigation

- 1) Provide an ESF #12 representative to the KHMT meeting; and
- 2) Identify mitigation measures and funds to reduce the vulnerability of electric power to the effects of hazards within the region.

### Preparedness

- 1) Coordinate with electrical utilities and major fuel providers to determine response needs and priorities during an emergency;
- 2) Utility providers will deliver public education campaigns that address safety around electricity, emergency procedures for homes and businesses, and all-hazard event preparedness;
- 3) Maintain current inventories of major energy facilities, pipelines, equipment, special capabilities and personnel throughout the state;
- 4) Maintain private sector emergency plans to restore service.

### Response

- 1) Disseminate threat information to affected utilities;
- 2) Brief on initial utility damage assessment (type of emergency, location, critical infrastructure affected, etc.);
- 3) Liaison with utility provider to coordinate the prioritization of the restoration of electric power in accordance with the electric provider's priority restoration plan;
- 4) Identify impediments to the emergency restoration of utility services;
- 5) Coordinate with utility companies to prepare and release public information regarding the emergency;
- 6) Coordinate with ESF #6 to identify emergency shelter power generation capacity and needs;
- 7) Coordinate with ESF #7 on the provision of emergency power generation capabilities;
- 8) Coordinate with ESF #5 on the provision of staging area locations;
- 9) Identify potential areas of petroleum shortages and plan for transportation of petroleum products to affected area;
- 10) Coordinate with energy and utility providers to provide appropriate liaisons to assist county EOCs and the SEOC;

- 11) Serve the SEOC Team in various areas of field operations (i.e., the Forward State Emergency Response Team, Impact Assessment Teams: Rapid Response Team, PDA Team, JFO operations, Recovery Center Operations, intrastate and/or interstate mutual aid assistance, etc.)
- 12) Request, when appropriate, needed resources to repair damaged electric systems, natural gas systems and related public infrastructure; and
- 13) Coordinate with ESF #13 to assist utility companies with required security services for emergency restoration teams.

#### Recovery

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- 1) Coordinate with technical experts on energy supply, production and delivery, and the exchange of energy information;
- 2) Review recovery actions, develop strategies for meeting local, state, and private sector energy needs;
- 3) Continue to monitor local, state, and utility actions;
- 4) Request, when appropriate, needed resources to repair damaged energy systems and/or associated public infrastructure;
- 5) Work with the SCO and other state and local emergency organizations to establish priorities to permanently repair damaged energy systems if necessary; and
- 6) Upon request, accompany damage assessment teams for PDAs;
- 7) Draft recommendations and other reports as appropriate.

## Responsibilities

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### Coordinating Agency

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KDEM is designated as the coordinator for ESF #12. KDEM, in conjunction with KCC, will provide exercises, meetings, plans, training, and other activities with the private sector.

### Primary Agencies

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#### KDEM

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##### Mitigation

- 1) Provide an ESF #12 representative to the KHMT meeting; and
- 2) Identify mitigation measures and funds to reduce the vulnerability of electric power to the effects of hazards within the region.

##### Preparedness

- 1) Maintain current inventories of major energy facilities, pipelines, equipment, special capabilities, and personnel throughout the state; and
- 2) Coordinate with KCC and private utility providers to determine response needs and priorities during an emergency.

##### Response

- 1) Disseminate threat information to affected utilities;
- 2) Liaison with utility provider to coordinate the prioritization the restoration of electric power in accordance with the electric provider's priority restoration plan;

- 3) Identify impediments to the emergency restoration of utility services;
- 4) Coordinate with utility companies to prepare and release public information regarding the emergency;
- 5) Coordinate with ESF #6 to identify emergency shelter power generation capacity and needs;
- 6) Coordinate with ESF #7 on the provision of emergency power generation capabilities;
- 7) Coordinate with ESF #5 on the provision of staging area locations;
- 8) Coordinate with energy and utility providers to provide appropriate liaisons to assist County EOCs and the SEOC;
- 9) Serve the Kansas SEOC Team in various areas of Field Operations (i.e., the Forward State Emergency Response Team, Impact Assessment Teams: Rapid Response Team, PDATeam, JFO operations, Recovery Center Operations, intrastate and/or interstate mutual aid assistance, etc.).
- 10) Assist utility companies with any needed security services for emergency restoration teams;
- 11) Maintain communications with non-utility sector providers of other energy and transportation fuels, public utilities, and other support agencies and organizations responding to and recovering from emergencies regarding shortages and disruptions in the supply of other private sector energy and transportation fuels affecting the public; and
- 12) Direct efforts to obtain needed fuel supplies during a shortage of automotive transportation fuels or non-utility fuels needed for other residential, commercial, or industrial purposes.

#### **Recovery**

- 1) Coordinate with technical experts on energy supply, production and delivery, and coordinate the exchange of energy information;
- 2) Continue to monitor local, state, and utility actions;
- 3) Work with the SCO and other state and local emergency organizations to establish priorities to repair damaged energy systems if necessary; and
- 4) Upon request, accompany damage assessment teams for PDAs.

#### **KCC**

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##### **Preparedness**

- 1) Coordinate with electrical utilities and major fuel providers to determine response needs and priorities during an emergency;
- 2) Maintain current inventories of major energy facilities, pipelines, equipment, special capabilities and personnel throughout the state.

##### **Response**

- 1) Provide, in coordination with private utility providers, initial damage assessment (type of emergency, location, critical infrastructure affected, etc.);
- 2) Identify impediments to the emergency restoration of utility services;
- 3) Coordinate with utility companies to prepare and release public information regarding the emergency;
- 4) Identify potential areas of petroleum shortages and plan for transportation of petroleum products to affected area;
- 5) Serve the Kansas SEOC Team in various areas of Field Operations (i.e., the Forward State Emergency Response Team, Impact Assessment Teams: Rapid Response Team, PDA Team, JFO operations, Recovery Center Operations, intrastate and/or interstate mutual aid assistance, etc.);
- 6) Request, when appropriate, needed resources to repair damaged electric systems, natural gas systems and related public infrastructure;



- 7) Facilitate public utilities communication with local, state, and federal agencies and organizations when responding to energy emergencies and energy service restoration;
- 8) Monitor electric utilities and other support agencies and organizations responding to and recovering from emergencies regarding electric generating capacity, shortages, electric generating fuel shortages, transmission and distribution line outages, and electrical service outages affecting the public.

**Recovery**

- 1) Coordinate with technical experts on energy supply, production and delivery, and coordinate the exchange of energy information.
- 2) Review recovery actions, develop strategies for meeting local, state, and private sector energy needs;
- 3) Continue to monitor local, state, and utility actions;
- 4) Request, when appropriate, needed resources to repair damaged energy systems and/or associated public infrastructure;
- 5) Work with the SCO and other state and local emergency organizations to establish priorities to repair damaged energy systems if necessary;
- 6) Upon request, accompany damage assessment teams for PDAs; and
- 7) Draft recommendations and other reports as appropriate.

## Support Agencies

### KSNG

**Preparedness**

Maintain current inventories of major energy facilities, pipelines, equipment, special capabilities, and personnel throughout the state;

**Response**

- 1) Coordinate with ESF #7 on the provision of emergency power generation capabilities;
- 2) Coordinate with ESF #5 on the provision of staging area locations; and
- 3) Coordinate with ESF #13 to assist utility companies with required security services for emergency restoration teams.

### Private Utility and Petroleum Providers

**Mitigation**

- 1) Provide an ESF #12 representative to the KHMT meeting; and
- 2) Identify mitigation measures and funds to reduce the vulnerability of electric power to the effects of hazards within the region.

**Preparedness**

- 1) Utility providers will deliver public education campaigns that address safety around electricity, emergency procedures for homes and businesses, and all-hazard event preparedness;
- 2) Maintain current inventories of major energy facilities, pipelines, equipment, special capabilities and personnel throughout the state; and
- 3) Maintain private sector emergency plans to restore service.

**Response**

- 1) Brief on initial damage assessment (type of emergency, location, critical infrastructure affected, etc.);

- 2) Prioritize the restoration of electric power in coordination with the electric provider's priority restoration plan;
- 3) Identify impediments to the emergency restoration of utility services;
- 4) Coordinate with utility companies to prepare and release public information regarding the emergency;
- 5) Coordinate with KDEM on the provision of staging area locations;
- 6) Identify potential areas of petroleum shortages and plan for transportation of petroleum products to affected area;
- 7) Coordinate with energy and utility providers to provide appropriate liaisons to assist county EOCs and the SEOC;
- 8) Serve the Kansas SEOC Team in various areas of Field Operations (i.e., the Forward State Emergency Response Team, Impact Assessment Teams: Rapid Response Team, PDA Team, Joint Field Office (JFO) operations, Recovery Center Operations, intrastate and/or interstate mutual aid assistance, etc.) ; and
- 9) Request, when appropriate, needed resources to repair damaged electric systems, natural gas systems and related public infrastructure.

#### **Recovery**

- 1) Review recovery actions, develop strategies for meeting local, state, and private sector energy needs;
- 2) Continue to monitor local, state, and utility actions;
- 3) Request, when appropriate, needed resources to repair damaged energy systems and/or associated public infrastructure;
- 4) Work with the SCO and other state and local emergency organizations to establish priorities to repair damaged energy systems if necessary;
- 5) Upon request, accompany damage assessment teams for PDAs; and
- 6) Draft recommendations and other reports as appropriate.

## **PMCA**

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### **Preparedness**

PMCA will develop a statewide contact list (include cell phone numbers, addresses and number of trucks available) and submit to KDEM.

### **Response**

- a. Contact fuel terminals in Kansas and coordinate priority status for first responder fuel needs;
- b. Mobilize fuel distributors to requested disaster site or other location; and
- c. Coordinate bulk storage and redistribution of fuel from other states.

## **Authorities and References**

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1. **K.S.A 12-16,117:** Municipal policies regarding the provision of assistance during times of disaster; immunity from liability.
2. **K.S.A. 66-1711:** Outlines restriction of activities within 10 feet of high voltage overhead line (also known as the 10 foot rule).
3. **K.S.A. 74-620:** requires the KCC to develop rules and regulations to establish priorities for electric and natural gas allocations that applies to "all suppliers and consumers of natural gas and electric energy."
4. **K.S.A. 50-627:** Unconscionable acts and practices (price gouging)

5. **Federal Energy Regulatory Commission (FERC):** The Federal Energy Regulatory Commission, or FERC, is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil. The responsibilities of FERC are provided in "The Energy Policy Act of 2005."
6. **North American Electric Reliability Council (NERC):** The NERC is a coordinating body responsible for working with all stakeholders to develop standards for power system operation, monitoring and enforcing compliance with those standards, assessing resource adequacy, and providing educational and training resources as part of an accreditation program to ensure power system operators remain qualified and proficient. NERC also investigates and analyzes the causes of significant power system disturbances in order to help prevent future events.
7. **Southwest Power Pool (SPP):** SPP is a Regional Transmission Organization, mandated by the Federal Energy Regulatory Commission to ensure reliable supplies of power, adequate transmission infrastructure, and competitive wholesale prices of electricity. As a North American Electric Reliability Corporation Regional Entity, SPP oversees enforcement and development of reliability standards.
8. **National Electrical Safety Code (NESC):** The National Electrical Safety Code (NESC) sets the ground rules for practical safeguarding of persons during the installation, operation, or maintenance of electric supply and communication lines and associated equipment. The NESC continues to be a stronghold in the U.S. electrical industry and communications utility field, and serves as the authority on safety requirements for power, telephone, cable TV, and railroad signal systems. The Kansas Cooperation Commission adopts all NESC regulations in the state.
9. **PHMSA:** Pipeline and Hazardous Materials Safety Administration. PHMSA's mission is to protect people and the environment from the risks inherent in transportation of HazMat - by pipeline and other modes of transportation.
10. **IAW BER POLICY BER-AIRS-047:** The Kansas Department of Health and Environment, Bureau of Environmental Remediation (BER), Response Unit is responsible for ensuring that contamination of soils and waters of the state emanating from transformer oil spills does not impact human health and the environment. The Transformer Oil Spill Cleanup Policy will be used to provide a consistent approach for the cleanup of transformer oil spill sites.
11. For additional policies which affect ESF #12, please reference the policies section of the following ESF's:
  - a. ESF #1
  - b. ESF #4
  - c. ESF #10

