

As Amended by House Committee

Session of 2011

SENATE BILL No. 224

By Committee on Federal and State Affairs

3-3

1 AN ACT concerning ~~the gas safety and reliability surcharge, relating to a~~
2 ~~petition for rate schedule, extension of deadline for proceeding,~~ utilities
3 amending K.S.A. 2010 Supp. 66-2203 and repealing the existing
4 section.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 **New Section 1. On or before February 1, 2013, and every two**
8 **years thereafter, the state corporation commission shall compile a**
9 **report regarding electric supply and demand for all electric utilities in**
10 **Kansas. The report shall include, but not be limited to, generation**
11 **capacity needs, system peak capacity needs and renewable generation**
12 **needs associated with the 2009 Kansas renewable energy standards.**
13 **The commission shall submit the report to the house energy and**
14 **utilities committee and the senate utilities committee.**

15 ~~Section 1.~~ **Sec. 2.** K.S.A. 2010 Supp. 66-2203 is hereby amended to
16 read as follows: 66-2203. (a) Notwithstanding any other provisions of
17 chapter 66 of the Kansas Statutes Annotated, and amendments thereto,
18 beginning July 1, 2006, a natural gas public utility providing gas service
19 may file a petition and proposed rate schedules with the commission to
20 establish or change GSRS rate schedules that will allow for the adjustment
21 of the natural gas public utility's rates and charges to provide for the
22 recovery of costs for eligible infrastructure system replacements. The
23 commission may not approve a GSRS to the extent it would produce total
24 annualized GSRS revenues below the lesser of \$1,000,000 or ½% of the
25 natural gas public utility's base revenue level approved by the commission
26 in the natural gas public utility's most recent general rate proceeding. The
27 commission may not approve a GSRS to the extent it would produce total
28 annualized GSRS revenues exceeding 10% of the natural gas public
29 utility's base revenue level approved by the commission in the natural gas
30 public utility's most recent general rate proceeding. A GSRS and any
31 future changes thereto shall be calculated and implemented in accordance
32 with the provisions of K.S.A. 2010 Supp. 66-2202 through 66-2204, and
33 amendments thereto. GSRS revenues shall be subject to a refund based
34 upon a finding and order of the commission to the extent provided in
35 subsections (e) and (h) of K.S.A. 2010 Supp. 66-2204, and amendments
36 thereto.

1 (b) The commission shall not approve a GSRS for any natural gas
2 public utility that has not had a general rate proceeding decided or
3 dismissed by issuance of a commission order within the past 60 months,
4 unless the natural gas public utility has filed for or is the subject of a new
5 general rate proceeding.

6 (c) In no event shall a natural gas public utility collect a GSRS for a
7 period exceeding 60 months unless the natural gas public utility has filed
8 for or is the subject of a new general rate proceeding; except that the
9 GSRS may be collected until the effective date of new rate schedules
10 established as a result of the new general rate proceeding, or until the
11 subject general rate proceeding is otherwise decided or dismissed by
12 issuance of a commission order without new rates being established.

13 *(d) Notwithstanding the 60-month filing deadlines in subsections (b)*
14 *and (c), upon motion by a natural gas public utility, the commission may*
15 *extend the 60-month deadline in subsections (b) and (c) for a period of up*
16 *to 12 months as the commission determines reasonable or necessary.*

17 ~~Sec. 3.~~ K.S.A. 2010 Supp. 66-2203 is hereby repealed.

18 ~~Sec. 4.~~ This act shall take effect and be in force from and after its
19 publication in the statute book.

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