SENATE BILL No. 293

By Committee on Utilities

1-18

1 AN ACT concerning municipal energy agencies; relating to the state
2   corporation commission, jurisdiction; amending K.S.A. 12-8,111 and
3   repealing the existing section.
4

5 *Be it enacted by the Legislature of the State of Kansas:*
6   Section 1.   K.S.A. 12-8,111 is hereby amended to read as follows: 12-
7 8,111. (a) The provisions of K.S.A. 12-885 ~~to~~ *through* 12-8,109, ~~inclusive,~~
8 and ~~any provisions amendatory or supplemental~~ *amendments* thereto, shall
9 constitute a certificate of public convenience, and any municipal energy
10 agency is authorized to operate as a public utility pursuant to such
11 provisions without obtaining a certificate described in K.S.A. 66-131 ~~or~~
12 ~~any~~*, and* amendments thereto.
13   (b)   Except ~~with respect to such certificate described in subsection (a),~~
14 ~~any municipal energy agency created under the provisions of K.S.A. 12-~~
15 ~~885 to 12-8,109, inclusive, and any provisions amendatory or~~
16 ~~supplemental thereto, shall be subject to the jurisdiction of the state~~
17 ~~corporation commission in the same manner as a public utility~~ *as provided*
18 *in subsection (c), a municipal energy agency is exempt from the*
19 *jurisdiction, regulation, supervision and control of the state corporation*
20 *commission.*
21   *(c)   Nothing in this section shall be construed to affect the state*
22 *corporation commission's authority over a municipal energy agency to*
23 *regulate:*
24   *(1)   Charges, fees or tariffs for transmission services for such services*
25 *to entities other than members of a municipal energy agency;*
26   *(2)   sales of power for resale other than sales allowed pursuant to*
27 *K.S.A. 12-897 and 12-8,109, and amendments thereto;*
28   *(3)   wire stringing pursuant to K.S.A. 66-183, and amendments*
29 *thereto; and*
30   *(4)   transmission line siting pursuant to K.S.A. 66-1,177, and*
31 *amendments thereto*.
32   Sec. 2.   K.S.A. 12-8,111 is hereby repealed.
33   Sec. 3.   This act shall take effect and be in force from and after its
34 publication in the Kansas register.