



*Opponent Testimony Provided to the  
Senate Utilities Committee  
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**In Opposition to Senate Bill 353**

Good afternoon Mister Chairman, Vice-Chair and Ranking Member,

**Introduction:**

Enel North America, through its subsidiary, Enel Green Power, is a leading developer, owner and operator of renewable energy projects and currently has the largest wind capacity of any wind operator in the State of Kansas. Enel Green Power operates six wind power plants in Kansas with a combined capacity of 1,298 MW and an additional 520 MW in development, representing over \$2.7 billion in total investment and has created 210 full-time, permanent jobs in the state. Enel Green Power is invested in Kansas and committed to the long-term sustainability of the communities where it operates, supporting critical initiatives.

In 2020, nearly \$12.5M was paid in lease payments to local landowners. Local landowners will continue to see annual payments exceeding \$12.5M should the state remain a viable option for new wind site developments. In addition, Enel Green Power has invested more than \$4M in the state through its sustainability efforts and averaging nearly \$685k per year since 2014.

**Position on SB 353:**

Enel Green Power opposes the passage of SB 353. SB 353 will undermine Kansas' commitment to affordable and reliable energy, resulting in a loss of jobs and economic opportunity. SB 353 would create restrictive guidelines for the siting and development of wind energy projects across the state, which could make it uneconomic to develop projects in Kansas by limiting the amount of wind capacity for a development site, require the expanded purchase of property to provide the same capacity output or simply choose to develop projects in an area that is not as restrictive as those proposed here. For example, no turbines would be placed within a mile of another wind turbine a non-participating property line, a building, a park, etc. Currently, developers work closely with private landowners and local government during the planning and negotiation processes to develop new wind projects. County commissioners and planning boards across the state recognize industry standards when approving setback distances and site locations while considering the public health and safety of their community. This process serves

community interests while also protecting and enabling the freedom of property right owners to use their land without fear of infringement or unreasonable interference. SB 353 places severe and unnecessary restrictions on wind energy development that sends a warning message to any industry looking to invest in Kansas.

**Value of the Resources:**

Wind and solar generation are not intended to be a substitute for other generation, but instead play an important role in diversifying the generation fleet and reducing the exposure to volatile fuel supply costs while meeting the electricity needs of Kansans. Local officials and residents should have the ability to decide whether a wind or solar development project is a good fit for their community.

**Conclusion:**

SB 353 will significantly increase costs and reduce capacity output from wind projects in Kansas making those developments less productive and more costly for Kansans. Because of the increase in cost in developing wind projects from this bill, development could move to neighboring states like Missouri, Colorado, Oklahoma and other Midwestern states because Kansas will be at a competitive disadvantage. Kansas resources compete in a regional market on price. If Kansas resources are not competitive, resources from other states where energy is more cost competitive will clear.

It is imperative to consider all the costs and benefits of SB 353, which will result in lost economic opportunity to Kansas and its communities. Kansas leaders had the foresight to make the state a leader for wind power. Landowners, counties, construction workers, businesses, and schools will not continue to reap the benefit of Kansas being a priority state for wind should SB 353 pass.

Thank you for your consideration and we urge your opposition to SB 353.