

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:12 a.m. on February 16, 2005 in Room 231-N of the Capitol.

All members were present except: Representative Virginia Beamer - Excused
Representative Eric Carter - Unexcused
Representative Judy Morrison - 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:

Larry Holloway, Kansas Corporation Commission, Topeka, KS
Paul Lira, Internat'l Brotherhood of Electrical Workers Local 304, Topeka, KS
Richard Good, Westar Energy, Topeka, KS
Steve Johnson, Kansas Gas Service, Overland Park, KS
Donna Quillin, Kansas City Power & Light, Kansas City, MO
General Tod Bunting, Adjutant General of Kansas, Topeka, KS

Others attending: See Attached List

HB 2407 - Kansas representatives to regional transmission organization authorized to participate fully

Chairman Holmes opened the hearing on **HB 2407**.

Larry Holloway, Chief of Energy Operations for the Kansas Corporation Commission, appeared in support of **HB 2407** (Attachment 1). Mr. Holloway stated this legislation would grant authority to fully participate in decision-making bodies of regional transmission organizations. Mr. Holloway responded to questions from the committee.

Written testimony in support of **HB 2407** was submitted by Representative Tom Sloan (Attachment 2) and Burton Crawford, Kansas City Power & Light (Attachment 3).

Chairman Holmes closed the hearing on **HB 2407**.

HB 2461 - Exemption of utility service trucks from hours of service limits in times of disaster emergencies

Chairman Holmes opened the hearing on **HB 2461**.

Mr. Paul Lira, Business Manager for the International Brotherhood of Electrical Workers Local 304, testified in support of **HB 2461** (Attachment 4). Mr. Lira explained that the current hours of service regulations have created numerous hardships for workers driving utility trucks. As a result of the federal Department of Transportation regulations targeting over the road truck drivers, utility workers have been faced with penalties commonly associated with the over the road truck drivers.

Richard Good, Director Disaster Recovery/Infrastructure Security for Westar Energy, spoke in favor of **HB 2461** (Attachment 5). Mr. Good stated there were unintended consequences of the adoption of the federal regulations by capturing utility service vehicle drivers. By providing a since number to request an emergency declaration, time and energy will be conserved and personnel will be able to assist in outages in a quicker manner.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES, Room 231-N, Statehouse, at 9:12 a.m. on February 16, 2005

Steve Johnson, Governmental Affairs Manager for Kansas Gas Service, addressed the committee in support of **HB 2461** (Attachment 6). Mr. Johnson shared the company's concerns about restoration of service to customers while waiting for work completion and service provider support that may be ended due to the hours of service requirements.

Donna Quillin, Kansas City Power & Light's Manager of Safety & Medical, submitted testimony in support of **HB 2461** (Attachment 7). Ms. Quillin explained that the bill addressed the delegation of responsibility for declaring a disaster emergency in order to meet the federal regulations on hours of service exemptions. She told the committee it was imperative they have the ability to rapidly contact a designated governmental representative who would assist in addressing the emergency.

Written testimony in support of **HB 2461** was submitted by Danielle Noe, Johnson County Kansas (Attachment 8), Randall Duncan, Sedgwick County Department of Emergency Management (Attachment 9), and David Springe, Citizens' Utility Ratepayer Board (Attachment 9).

General Tod Bunting, Adjutant General of Kansas, addressed the committee in opposition to **HB 2461**. General Bunting shared concerns about the declaration of an emergency process covered in the bill. Distributed to the committee was a Procedural Guide - Critical Infrastructure - Energy Emergencies (Attachment 10).

The conferees responded to questions from the committee. Additionally, Mr. Tom Whitaker, Executive Director of the Kansas Motor Carriers Association, responded to questions.

Chairman Holmes closed the hearing on **HB 2461**.

The meeting adjourned at 10:28 a.m.

The next meeting is Thursday, February 17, 2005 at 9:00 a.m.