

## 2023 Kansas Statutes

**66-2202. Definitions.** For the purposes of this act:

- (a) "GSRS" means gas system reliability surcharge;
- (b) "appropriate pretax revenues" means the revenues necessary to produce net operating income equal to:
  - (1) The natural gas public utility's weighted cost of capital last approved by the commission multiplied by the net original cost of eligible infrastructure system investments, including recognition of accumulated deferred income taxes, accumulated depreciation associated with eligible infrastructure system investments that are included in a currently effective GSRS;
  - (2) recover state, federal and local income or excise taxes applicable to such income;
  - (3) recover depreciation expenses;
- (c) "commission" means the state corporation commission;
- (d) "eligible infrastructure system investments" means natural gas public utility plant projects that:
  - (1) Do not increase revenues by directly connecting the infrastructure investments to new customers;
  - (2) are in service and used and required to be used; and
  - (3) were not included in the natural gas public utility's rate base in its most recent general rate case;
- (e) "natural gas public utility" shall have the same meaning respectively ascribed thereto by K.S.A. 66-1,200(a), and amendments thereto;
- (f) "natural gas utility plant projects" consist of the following:
  - (1) Mains, meters, valves, service lines, regulator stations, vaults and other pipeline system components installed to replace, upgrade or modernize obsolete facilities, including, but not limited to, installation to comply with state or federal safety requirements replacing existing facilities;
  - (2) main relining projects, service line insertion projects, joint encapsulation projects and other similar projects extending the useful life or enhancing the integrity of pipeline system components including, but not limited to, projects undertaken to comply with state or federal safety requirements;
  - (3) facility relocations required due to construction or improvement of a highway, road, street, public way or other public work by or on behalf of the United States, this state, a political subdivision of this state or another entity having the power of eminent domain provided that the costs related to such projects have not been reimbursed to the natural gas public utility;
  - (4) system security costs including allocated corporate costs incurred by a natural gas public utility; and
  - (5) investments made in accordance with the utility's safety and risk management programs;
- (g) "GSRS revenues" means revenues produced through a GSRS exclusive of revenues from all other rates and charges;
- (h) "obsolete facility" means a facility: (1) Comprised of materials that are no longer produced or supported by the manufacturer; (2) that shows signs of physical deterioration; or (3) does not meet current safety codes or industry standards. "Obsolete facility" includes the cost-effective replacement of other facilities that are not considered obsolete when the replacement of such is done in conjunction with the replacement of an obsolete facility; and
- (i) "system security" shall mean capital expenditures to protect a utility's capital assets, including both physical assets and cyber assets, such as networks, computers, servers, operating systems, storage, programs and data, from attack, damage or unauthorized use and access.

**History:** L. 2006, ch. 99, § 2; L. 2018, ch. 40, § 1; January 1, 2019.