

HOUSE BILL No. 2518

By Committee on Energy, Utilities and Telecommunications

1-22

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 K.S.A. 12-8,111 is hereby repealed.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.