

HOUSE BILL No. 2036

By Committee on Energy and Utilities

1-20

9 AN ACT concerning the state corporation commission; relating to studies
10 and reports.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) (1) The state corporation commission shall convene a
14 group of stakeholders, including representatives of the architectural,
15 banking, construction, real estate and utility industries, and any other
16 relevant professionals, to identify components of a cost-effective energy
17 efficiency code for new and substantially remodeled buildings, and an
18 energy efficiency rating system for existing buildings and apartments.

19 (2) Components of an energy efficiency code for new or substantially
20 remodeled buildings shall include, but are not limited to, the following:

21 (A) Recommended construction, heating, ventilating and air condi-
22 tioning (HVAC), insulation and door and window standards; and

23 (B) recommendations must be cost-effective over a 10-year life ex-
24 pectancy for the investments.

25 (3) For existing buildings, the stakeholder group shall develop an en-
26 ergy efficiency rating system such that:

27 (A) Owners, prospective owners and tenants may evaluate the 10-
28 year costs and benefits of investing in energy efficient upgrades; and

29 (B) prospective owners and tenants may estimate energy consump-
30 tion at various thermostat settings.

31 (4) The commission shall make recommendations about proposed
32 standards and rating systems to the legislature and the league of Kansas
33 municipalities on or prior to January 1, 2010.

34 (b) The commission shall convene a group of stakeholders to develop
35 protocols for measurable and verifiable metrics to estimate resource val-
36 ues of mass market energy efficiency programs that can be offered by
37 electric and natural gas utilities and third party vendors. The protocols
38 shall estimate savings in energy usage and dollars as a substitute for new
39 baseload, intermediate or peaking power plant construction, and shall
40 maintain system reliability. The commission shall institute the metrics or
41 make recommendations and propose legislation to the legislature on or
42 prior to January 1, 2010.

43 (c) The commission shall convene a group of stakeholders, including,

1 but not limited to, representatives of the storage industry, electric utilities,
2 southwest power pool, renewable energy generators and transmission op-
3 erators, to study energy storage as a cost-effective way to support the
4 following:

- 5 (1) Stabilize renewable energy generation;
- 6 (2) address transmission congestion costs; and
- 7 (3) increase system reliability to customers.

8 The commission shall establish the method of cost recovery and earn-
9 ings for investments in energy storage devices by electric utilities and
10 determine if such devices are owned by third parties.

11 The commission shall also study other energy storage issues as the
12 commission and stakeholders deem appropriate. In conducting this study,
13 the commission shall assume a 20-year life expectancy for storage devices
14 and that storage devices are not generation units. The commission shall
15 institute appropriate rules and regulations to address energy storage de-
16 vices or make recommendations and propose legislation to the legislature
17 on or prior to January 1, 2010.

18 (d) (1) The commission, in cooperation with the department of
19 health and environment, shall convene a critical utility infrastructure as-
20 sessment group of stakeholders, including, but not limited to, represen-
21 tatives of Kansas municipal utilities, inc., the league of Kansas munici-
22 palities and the Kansas rural water association, to assess public safety risks
23 associated with aging electricity, natural gas, telecommunications, water
24 and wastewater utility infrastructures in municipalities, public and private
25 higher education institutions, state facilities and other locations as the
26 commission and stakeholder group may determine.

27 (2) The critical utility infrastructure assessment group shall review
28 available public utility infrastructure safety data, identify additional data
29 needs and, if necessary, assist the commission and the department in the
30 following:

- 31 (A) Develop the necessary inspection report forms;
- 32 (B) identify the qualifications of persons authorized to conduct the
33 inspections;
- 34 (C) recommend the frequency of inspections and reports; and
- 35 (D) recommend the process by which the commission or the de-
36 partment shall order corrective actions to ensure public safety.

37 (3) The critical utility infrastructure assessment group shall identify
38 and develop any necessary legislative proposals to permit the commission
39 and the department to require safety inspections and remedial action,
40 including termination of all or part of the utility infrastructures' opera-
41 tions, until safety concerns have been successfully addressed. The group
42 shall make recommendations to the legislature on or prior to January 15,
43 2010.

1 Sec. 2. This act shall take effect and be in force from and after its
2 publication in the statute book.