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

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

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

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

(A) Recommended construction, heating, ventilating and air conditioning (HVAC), insulation and door and window standards; and

(B) recommendations must be cost-effective over a 10-year life expectancy for the investments.

(3) For existing buildings, the stakeholder group shall develop an energy efficiency rating system such that:

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

(B) prospective owners and tenants may estimate energy consumption at various thermostat settings.

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

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

(c) The commission shall convene a group of stakeholders, including,
but not limited to, representatives of the storage industry, electric utilities,
southwest power pool, renewable energy generators and transmission op-
erators, to study energy storage as a cost-effective way to support the
following:

1. Stabilize renewable energy generation;
2. address transmission congestion costs; and
3. increase system reliability to customers.

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

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

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

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

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

(3) The critical utility infrastructure assessment group shall identify
and develop any necessary legislative proposals to permit the commission
and the department to require safety inspections and remedial action,
including termination of all or part of the utility infrastructures’ opera-
tions, until safety concerns have been successfully addressed. The group
shall make recommendations to the legislature on or prior to January 15,
2010.
Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.