

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

Before Commissioners:      Shari Feist Albrecht, Chair  
   Jay Emler  
   Pat Apple

In the Matter of the General Investigation Into      )  
the Appropriateness of Certain Sections of the      )  
Kansas Corporation Commission's Electric and      ) Docket No. 15-GIMX-344-GIV  
Natural Gas Billing Standards Related to On-      )  
Premises Collections                                      )

**ORDER ADOPTING STAFF'S REPORT AND RECOMMENDATION  
AND OPENING GENERAL INVESTIGATION**

This matter comes before the State Corporation Commission of the State of Kansas ("Commission"). Having examined Staff's Report and Recommendation submitted by Staff in this matter and being duly advised in the premises, the Commission finds as follows:

**I.      BACKGROUND**

1.      On February 5, 2015, Staff prepared a Report and Recommendation ("R&R") informing the Commission that a general investigation docket needs to be opened to review the appropriateness of certain sections of the Kansas Corporation Commission's electric and natural gas billing standards related to on-premises collections.<sup>1</sup> Specifically, a general investigation docket needs to be opened to evaluate the appropriateness and implication of eliminating the "knock and collect" requirement prior to disconnection of utility service.<sup>2</sup>

2.      Staff recommended that the scope of the general investigation be limited to Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Billing Standards.<sup>3</sup>

3.      Staff further recommended soliciting input from interested parties on how the general investigation should proceed (e.g. responsive comments, roundtable discussions,

<sup>1</sup> Staff's Report and Recommendation, p. 3 (Feb 5, 2015).

<sup>2</sup> *Id.* at p. 1.

<sup>3</sup> *See id.* at p. 3

contested docket with testimony, solicit white papers from the parties, etc.) to minimize the need for extensive comment periods.<sup>4</sup>

## II. FINDINGS AND CONCLUSIONS

4. The Commission is satisfied that jurisdiction to conduct the requested investigation exists pursuant to K.S.A. 66-101 *et seq.* Specifically, the Commission may initiate an investigation into rates, rules, and regulations of gas and electric public utilities.<sup>5</sup>

5. Staff's Report and Recommendation dated February 5, 2015, is hereby adopted. A copy of Staff's Report and Recommendation is attached hereto as Attachment "A" and is hereby incorporated by reference.

6. The Commission finds and reaffirms the need for a full and comprehensive review of Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Billing Standards to determine the appropriateness of eliminating the "knock and collect" requirement prior to disconnecting utility service.<sup>6</sup>

7. The Commission finds that all Kansas gas and electric public utilities should be made party to this proceeding and served with a copy of this Order. However, only parties filing an entry of appearance will be placed on the official service list and receive documents filed in this proceeding.

8. All entries of appearance must be filed no later than thirty days (30) from the date of this Order.

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<sup>4</sup> *Id* at pp. 1, 3.

<sup>5</sup> *See* K.S.A. 66-101d, 101g; K.S.A. 66-1,201, 204, 207.

<sup>6</sup> The Commission previously detailed opening such an investigation in its Order Denying Application, p. 3, Docket No. 15-WSEE-188-MIS (Jan. 29, 2015).

9. The parties are directed to file comments to determine the most appropriate means with which this general investigation is to proceed within forty five (45) days from the date of this Order.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

(A) A general investigation evaluating the appropriateness of on-premises collections detailed in Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Kansas Corporation Commission's electric and natural gas Billing Standards to determine the appropriateness of eliminating the "knock and collect" requirement prior to disconnecting utility service is hereby opened.

(B) Any Kansas gas or electric public utility that wishes to participate in this proceeding must enter an entry of appearance no later than thirty (30) days from the date of this Order.

(C) The parties are hereby ordered to file comments on how the general investigation should proceed to minimize the need for extensive comment periods (e.g. responsive comments, roundtable, contested docket with testimony, solicit white papers from the parties, etc.) within forty five (45) days from the date of this Order.

(D) The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2014 Supp. 77-529(a)(1).


(E) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

(F) All Kansas gas and electric public utilities subject to the Kansas Corporation Commission's jurisdiction are hereby made a party to this proceeding.

**BY THE COMMISSION IT IS SO ORDERED.**

Albrecht, Chair, Emler, Commissioner, Apple, Commissioner

Dated: FEB 26 2015

  
ORDER MAILED FEB 27 2015

Neysa Thomas  
Acting Secretary

REV

**ATTACHMENT "A"**

## REPORT AND RECOMMENDATION UTILITIES DIVISION

**TO:** Chair Shari Feist Albrecht  
Commissioner Jay Scott Emler  
Commissioner Pat Apple

**FROM:** Jon Wilson, Research Economist  
Lana Ellis, Deputy Chief of Economics and Rates  
Jeff McClanahan, Director of Utilities

**DATE:** February 5, 2015

**SUBJECT:** Request to open a general investigation into the appropriateness of certain sections of the Kansas Corporation Commission's Electric and Natural Gas Billing Standards (Billing Standards) related to on-premises collections.

### **EXECUTIVE SUMMARY:**

The development of digital meters has presented electric companies an opportunity to reduce costs and save resources, but determining the appropriateness of a remote disconnect procedure is an important policy decision that requires careful consideration and input from a broad range of stakeholders. As such, this decision should not be piecemealed but should be given full, comprehensive attention.

Therefore, Staff recommends the Commission open a general investigation to evaluate the appropriateness and implication of eliminating the "knock and collect" requirement prior to disconnection of utility service. The scope of the general investigation should therefore be limited to the relevant sections of the Billing Standards. Staff further recommends soliciting input from interested parties on how the general investigation should proceed (e.g. responsive comments, roundtable, contested docket with testimony, solicit white papers from the parties, etc.) to minimize the need for extensive comment periods.

### **BACKGROUND:**

On October 30, 2014, Westar filed an Application in Docket No. 15-WSEE-188-MIS (15-188) requesting a waiver of the requirements stated in the Billing Standards. Specifically, waivers of Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) were requested. These standards require a utility employee to attempt to offer the customer an opportunity to make payment at the door before disconnecting the customer's service (knock and collect). Instead,

Westar proposed adding an additional customer contact (text, phone call, or email) prior to disconnecting service, using the customer's preferred contact method.

Previously, Westar filed a similar Application in Docket No. 13-WSEE-707-TAR (13-707) requesting a waiver of the "knock and collect" requirements for only those customers with digital meters. Staff, in its Report and Recommendation (R&R)<sup>1</sup> stated:

[m]erely because Westar has the technical ability to remotely disconnect the meter, does not mean it is appropriate to grant this waiver request. Granting a waiver would eliminate the digital-meter customer's opportunity to avoid disconnection and additional reconnection fees. Moreover, granting the waiver would eliminate the customer's opportunity to dispute the cause for disconnection. Because the customer's opportunity to dispute the disconnection and to avoid additional fees should be preserved, it is inappropriate to grant this waiver request. [Footnote omitted]

Staff filed a R&R recommending denial of that Application and instead recommended the Commission take up this issue in a General Investigation Docket when digital meters become more prevalent.<sup>2</sup> Similarly, on December 30, 2014, Staff filed a R&R in Docket No. 15-188 recommending dismissal of the Application and the opening of a general investigation docket limited to evaluating the appropriateness of Section IV, Item C(2); Section IV Item G; and Section V Item D(2) of the Billing Standards.

Both Westar and CURB responded to Staff's R&R on January 7, 2015. Westar stated that they are not opposed to Staff's recommendation to open a general docket, but emphasized the need for a timely resolution focused on the knock and collect requirements. CURB agrees with Staff's recommendation due to the fact that changing policy should include the balancing of interests and notice to affected customers.

### **ANALYSIS:**

Only nine percent of Westar's customers had the Advanced Metering Infrastructure (AMI) meters at the time of the original waiver request in 13-707. But now, both Westar and Kansas City Power & Light (KCPL) are expecting to expand their installation and usage of digital meters. Not all meters will have the remote disconnect capability.<sup>3</sup>

Staff agrees that the development of digital meters provides an opportunity to reduce costs and save resources, but determining whether remote disconnect is appropriate is an important policy decision that requires careful consideration and input from a broad range of stakeholders. As such, this decision should not be piecemealed but should be given full, comprehensive attention.

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<sup>1</sup> Staff's Report and Recommendation, Docket No. 13-WSEE-707-TAR, pp. 2-3.

<sup>2</sup> "When digital meters become more prevalent, Staff recommends the Commission take up this issue in a general investigation docket to consider whether the new meter technology warrants a waiver of the billing standards. If it is determined that the relevant billing standards should be waived, then the generic docket could also consider the necessary or appropriate changes to the disconnect/reconnect tariff fees." Staff's Report and Recommendation, Docket No. 13-WSEE-707-TAR, p. 4.

<sup>3</sup> Two-way communication is required for the digital meters to have this capability.

Therefore, Staff recommends opening a general investigation to evaluate the appropriateness and implication of eliminating the “knock and collect” requirements.

Due to the rapid expansion of the implementation of digital meters, the issue should be addressed quickly. Because of the need to resolve this issue quickly, Staff recommends limiting the scope of the general investigation to evaluating the appropriateness of the sections of the Billing Standards specifically addressing the “knock and collect” requirements.<sup>4</sup> In addition, Staff recommends soliciting input from interested parties on how the general investigation should proceed to minimize the need for extensive comment periods (e.g. responsive comments, roundtable, contested docket with testimony, solicit white papers from the parties, etc.).

As indicated previously, in the 15-188 Docket both Westar and CURB responded to Staff’s R&R on January 7, 2015, and agree that a general investigation is appropriate. On January 29, 2015, the Commission denied Westar’s Application. The Commission also ordered Staff to initiate a general investigation “with due haste”.<sup>5</sup> No specific timeline was established, though the Commission stated that Staff should work with interveners to develop a schedule to resolve this issue quickly while maintaining a reasonable amount of time to develop a complete analysis and recommendation.<sup>6</sup>

**RECOMMENDATION:**

Because of the rapid expansion of digital meters and the importance of the policy decision presented here, Staff recommends opening a general investigation limited to evaluating the appropriateness of Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2) of the Billing Standards. Further, Staff proposes specifically asking interested parties how the general investigation should proceed (e.g. responsive comments, roundtable, contested docket with testimony, solicit white papers from the parties, etc.) to minimize the need for extensive comment periods.

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<sup>4</sup> Section IV, Item C (2); Section IV, Item G; and Section V, Item D (2).

<sup>5</sup> Order Denying Application, Jan. 29, 2015, p. 3.

<sup>6</sup> Order Denying Application, Jan. 29, 2015, p. 3.



PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

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COLIN WHITLEY, GENERAL MANAGER ALFALFA ELECTRIC COOPERATIVE, INC. GENERAL OFFICE 121 E. MAIN STREET 121 EAST MAIN STREET CHEROKEE, OK 73728-0039		
DEAN MATTHEWS, FIELD OPERATOR AMARILLO NATURAL GAS COMPANY 2915 I-40 WEST AMARILLO, TX 79109		
ALAN DEGOOD, PRESIDENT AMERICAN ENERGIES GAS SERVICE, LLC PO BOX 516 CANTON, KS 67428		
SCOTT CRUMP, STAFF ENGINEER ANADARKO NATURAL GAS COMPANY 1201 LAKE ROBBINS DRIVE THE WOODLANDS, TX 77380		
BOB HALL, GENERAL MANAGER ARK VALLEY ELECTRIC COOP., ASSN., INC. GENERAL OFFICE PO BOX 1246 HUTCHINSON, KS 67504		
ATTN: GAS SERVICE CONTACT ATMOS ENERGY CORPORATION 5420 LBJ FWY STE 1600 (75240) P O BOX 650205 DALLAS, TX 75265-0205		
MARGARET A. (MEG) MCGILL, REGULATORY MANAGER BLACK HILLS/KANSAS GAS UTILITY COMPANY, LLC D/B/A BLACK HILLS ENERGY 1102 EAST 1ST ST PAPILLION, NE 68046		
KENNETH J. MAGINLEY, GENERAL MANAGER BLUESTEM ELECTRIC COOPERATIVE, INC. 614 E US HWY 24 PO BOX 5 WAMEGO, KS 66547-0005		

ORDER MAILED **FEB 27 2015**

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.

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ROBERT D. SHORT, GEN MGR/CEO BUTLER RURAL ELECTRIC COOPERATIVE ASSN., INC. 216 S VINE ST PO BOX 1242 ELDORADO, KS 67042		
KIRK THOMPSON, MANAGER C. M. S. ELECTRIC COOPERATIVE, INC. 509 E CARTHAGE P O BOX 790 MEADE, KS 67864-0790		
ALLEN A. ZADOROZNY, MANAGER CANEY VALLEY ELEC. COOP. ASSN., INC. 401 LAWRENCE PO BOX 308 CEDAR VALE, KS 67024		
KAREN SMITH, DEPUTY CITY CLERK CITY OF ALTA VISTA 521 MAIN PO BOX 44 ALTA VISTA, KS 66834		
ATTN: CITY CLERK CITY OF ESKRIDGE CITY HALL 110 SOUTH MAIN STREEET PO BOX 156 ESKRIDGE, KS 66423		

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<p>WILLIAM L. GIPSON, PRESIDENT / CEO EMPIRE DISTRICT ELECTRIC COMPANY 602 S JOPLIN AVE (64801) PO BOX 127 JOPLIN, MO 64802</p>		
<p>ROBERT E. REECE, MANAGER FLINT HILLS RURAL ELECTRIC COOP. ASSN., INC. 1564 S 1000 RD PO BOX B COUNCIL GROVE, KS 66846</p>		
<p>DALE COOMES, CEO HEARTLAND RURAL ELECTRIC COOPERATIVE, INC. 110 N ENTERPRISE DR PO BOX 40 GIRARD, KS 66743</p>		
<p>KRISTINE M. SCHMIDT, PRESIDENT ITC GREAT PLAINS, LLC 3500 SW FAIRLAWN RD STE 101 TOPEKA, KS 66614-3979</p>		
<p>MARY TURNER, DIRECTOR, REGULATORY AFFAIR KANSAS CITY POWER &amp; LIGHT COMPANY ONE KANSAS CITY PL, 1200 MAIN ST (64105) PO BOX 418679 KANSAS CITY, MO 64141-9679</p>		
<p>DAVID N. DITTEMORE, MANAGER OF RATES &amp; ANALYSIS KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC. 7421 W 129TH ST OVERLAND PARK, KS 66213-2634</p>		

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ED WILTSE, GENERAL MANAGER LANE-SCOTT ELECTRIC COOPERATIVE, INC. 410 S HIGH PO BOX 758 DIGHTON, KS 67839-0758		
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VICKY C BENEDICT, VP & ASSOC. GEN. COUNSEL-COMPLIANCE & REG. MID CONTINENT MARKET CENTER, INC. 100 W FIFTH ST MD 1 TULSA, OK 74103-4298		
DON GULLEY, VP REGULATORY & MARKET AFFAIRS MID-KANSAS ELECTRIC COMPANY, LLC 301 W 13TH ST PO BOX 980 HAYS, KS 67601		

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ALLAN MILLER, CEO PRAIRIE LAND ELECTRIC COOPERATIVE, INC. 14935 US HWY 36 PO BOX 360 NORTON, KS 67654-0360		
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LEAH TINDLE, ADM. MANAGER RADIANT ELECTRIC COOPERATIVE, INC. 9346 JEWELL RD PO BOX 390 FREDONIA, KS 66736-0390		

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<p>JEFFREY L. MARTIN, VICE PRESIDENT, REGULATORY AFFAIRS WESTAR ENERGY, INC. 818 S KANSAS AVE PO BOX 889 TOPEKA, KS 66601-0889</p>		
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<p>BRUCE W. MUELLER, GENERAL MANAGER WHEATLAND ELECTRIC COOPERATIVE, INC. 101 MAIN ST PO BOX 230 SCOTT CITY, KS 67871</p>		

ORDER MAILED **FEB 27 2015**

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