



The *KMU Dispatch*

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KMU Announces New Training Staff Member

Kansas Municipal Utilities (KMU) is pleased to announce the hiring of Rick Shetley as its new Job Training & Safety Specialist. Rick comes to KMU with a strong background and interest in safety training. His prior experience includes serving as a Safety and Training Manager for InfraSource, a division of Quanta Services, one of the largest utility contractors in the United States. In that role, he was responsible for the safety and qualification training of gas, electrical, and telecommunication employees across seven states. He is also a certified OSHA trainer and is a certified evaluator for several different Operator Qualification (OQ) programs as well as a Master Trainer for the National Center for Construction and Education and Research, and a certified instructor for competent person training.

KMU is bringing Rick onboard to expand the Job Training and Safety Program as the association prepares to add 12 new cities to the program. Rick resides in the

Oswego area will be based primarily in the Southeast Kansas area, serving the cities of Alma, Burlington, Chanute, Clay Center, Coffeyville, Fort Scott, Fredonia, Garnett, Herington, Iola, Neodesha, Osage City and Osawatomie.



Rick was selected from a pool of 38 applicants for the position. "The caliber of the individuals that were interviewed made the selection process extremely difficult," said Colin Hansen, Executive Director. "We are excited to bring Rick onboard and look forward to him getting acquainted with our membership and their training needs."

No Increase in Dues, KMU Introduces Voluntary Fund

In an effort to reflect the difficult economic situation currently faced by many member communities, the KMU Board of Directors voted unanimously last fall to hold membership dues static. As such, KMU membership dues will not increase in 2010. The move means further tightening of an association

budget that has already been cut drastically.

In addition, the Board requested that KMU also include a new voluntary fund for legislative and special projects. At its November meeting, the Board discussed

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kansasmunicipalutilities



LED Traffic Lights Don't Melt Snow, Ice Buildup

The LED traffic lights Wichita has installed at more than 90 percent of the city's intersections are far more efficient than the incandescent bulbs that used to burn red, yellow and green. But when Wichita gets its two to three major snowstorms each year, burning less energy can be problematic. That's because the LED lights don't generate enough heat to melt snow and ice. It's not a problem at most intersections in Wichita, but for a few that have louvers — the shades that make it difficult to see what color the light is until you get close — snow buildup can be a problem. Some cities simply send trucks around with workers who clear the lights off with brushes or pressurized air. Wichita is considering different lens designs that are less likely to allow snow to accumulate. Wichita began installing LED lights at intersections in 2001. The city examined energy usage on a signal at Rock Road and Rock Hill, near Bradley Fair. Its lights, computers and fans used \$119.74 a month in energy when it had incandescent bulbs. With LEDs, it uses only \$33.60 a month.

Kansas Climate Change Group Dissolved

The activities of the Kansas Energy and Environmental Policy (KEEP) Advisory Group, appointed by former Governor Kathleen Sebelius to identify opportunities for Kansas to respond to the challenge of global climate change, have been suspended indefinitely. In a letter to KEEP Advisory Group members on January 8, President & CEO of Cessna Aircraft Company and KEEP Chairman Jack Pelton reflected on the accomplishments of the group and the reasons for termination. "Since my last communication in November, it has been brought to my attention that the partial funding which was identified to complete a modified plan, including quantification analysis, is no longer available. Due to this change, I regret to inform you that we are suspending the process indefinitely and this constitutes our final report," Pelton noted.

KMU Executive Director Colin Hansen was appointed to the KEEP Advisory Group by former Governor Sebelius in March 2008. The 25-member group included key legislators, scientists, environmentalists and representatives of the utility, agriculture, transportation, industrial and other sectors. Governor Parkinson and each of his Cabinet members also participated. Hansen served on the Energy Supply Technical Working Group. An Interim Report was submitted to the Governor containing a draft greenhouse gas emissions inventory and forecast and a concentrated list of priority options.

Sunflower to Submit New Permit

Sunflower Electric Power Corp. is expected to submit a new application for a permit to construct and operate an 895-megawatt (MW) coal-fired power plant in early 2010. "We are still in the process of making those revisions," said Sunflower spokeswoman Cindy Hertel. "We are hoping that will be completed early (in 2010) and fully submitted to the Kansas Department of Health and Environment." She indicated that the new plant is estimated to cost \$2.5 billion to build.

Westar Energy Celebrates 100 Years of Service

Westar Energy celebrated a century of providing electric service in Kansas. To mark this milestone, receptions were held in December at Westar Energy local offices. On Dec. 11, 1909, the American Power and Light Company incorporated Kansas Gas and Electric Company to operate south and southeast Kansas properties owned by Electric Bond and Share. The Kansas Power and Light Company was incorporated in 1924 to serve north and northeast Kansas. In 1992, KGE and KPL merged to form Western Resources, but continued to operate as KGE and KPL. Western Resources became Westar Energy in 2002, and both utilities adopted that name for service. "During the past century the organization has evolved and the number of employees has grown, but the dedication to providing safe, reliable, high quality, electric service at a reasonable cost to all customers still serves as the heart of Westar Energy's commitment," said Bill Moore, president and chief executive officer. "Westar Energy works to be an outstanding model of civic leadership and environmental stewardship and together with our communities, for the next 100 years, we will continue to make Kansas a better place to live." Today, Westar Energy is the largest electric provider in Kansas, delivering electricity to more than 684,000 customers in 55 counties. Westar Energy has a generation capacity greater than 6,800 megawatts and owns over 35,000 miles of transmission and distribution lines with more than 2,400 employees.

President Grants Governor's Request for Federal Assistance

President Barack Obama has approved Governor Mark Parkinson's request for federal assistance to defray costs associated with the response and recovery activities during the severe winter storm that struck the state between Nov. 14 and 16, 2009. Extremely heavy snows caused severe damage to electric infrastructure, disrupting power to several thousand customers, and requiring emergency work and snow removal. Marshall, Republic and Washington counties are included in the federal declaration which provides federal reimbursement through FEMA's Public Assistance Program. Preliminary damage assessments reveal nearly \$15 million in damages. Washington County sustained approximately \$12 million in utility damages, Republic County nearly \$2 million and Marshall approximately \$1 million. Parkinson signed a State of Disaster Emergency declaration Nov. 20 for 18 counties impacted by the slow-moving winter storm. After further damages assessments were completed, Parkinson requested a federal declaration for Marshall, Republic and Washington due to the damages sustained there which qualified these counties for federal and state reimbursement. The request was for the Public Assistance Program and the Hazard Mitigation Program.

KCP&L Seeks Rate Increase in Kansas

Kansas City Power & Light has filed for an 11.5 percent rate hike in Kansas. The company says the request for \$55.2 million more a year would help pay for its share of a \$1.9 billion power plant nearing completion near Weston. The proposed increase would cost the average residential consumer in Kansas \$130 a year. If approved, the rate increase could go into effect in October. The four rate increases filed since 2006 were designated for an energy plan that included the power plant, environmental upgrades and renewable energy projects, plus other overhead costs. If the latest request is granted, electric rates in Kansas over the last few years will have gone up 40 percent once some previous rate increases are credited back to customers, as previously agreed to. Utility officials said they understood the timing on its rate request was bad, given the economy. But they added that the schedule had been established years ago and that the utility needed the revenues. The utility had also expected to earn extra revenue from the new power plant by selling wholesale power to other utilities or companies. But because of a sharp drop in wholesale electricity prices, it doesn't expect those extra revenues, at least in the near future.

KCBPU Adopts New Policies on Net Metering and Parallel Generation

The Kansas City Board of Public Utilities Board of Directors approved four new policies on net metering, parallel generation and interconnection, and power quality and voltage regulation at its December 16, 2009 meeting. These new policies address the latest in renewable energy, allowing residential, commercial, and industrial customers to build and interconnect their own renewable energy resources (e.g. solar, wind, biomass) with BPU's system. At the meeting, BPU staff provided an overview on the methods by which customers can interconnect with BPU's "grid", and the levels of compensation they can expect to receive for any net energy they provide to BPU. BPU customers will now be able to apply for, build, and interconnect to BPU's system at their point of service, using special "net energy meters" to electronically monitor all energy used and generated, and the resultant net energy flow. If customers generate more energy than they receive, they will be credited in their electric bills in their next bill statement. If they generate less than their own native use, they will receive reduced billings reflecting the amount of energy they generated for themselves. Customers can still expect to see billings every month to cover customer and billing-related costs, plus their share of the overall investment in system infrastructure required to serve them and the community. "BPU is proud to be leading the way in Kansas' renewable energy efforts by allowing for net metering in our community," stated Don Gray, BPU General Manager. "It is our hope that providing this capability will lead to the further use of renewable energy alternatives while subsequently reducing overall emissions."

While new state regulations require private utility companies to begin offering this service in Kansas, public utilities like BPU are not required to do so. However, BPU, recognizing the importance of renewable energy has voluntarily enacted this service and capability. The new policies are expected to take effect in January of 2010.



Local Municipal Utility News to Share?

Call us at 620/241-1423,
fax us at 620/241-7829
or email your story to
kmu@kmunet.org.

KMEA/KMGA Update



**By Jim Widener, General Manager
Kansas Municipal Energy Agency**

Jim Bradley Assumes Chair of Joint Board

The new year also brings us a new Chairman of the KMGA/KMEA Joint Board of Directors. Jim Bradley, Director of Utilities, Ottawa, and KMEA President, will assume the role previously held by John Sweet, City Administrator, Lyons, who will remain a member of the Board.

We want to extend a special thank you to John for his service as Chairman during 2009.

Other KMEA representatives on the Joint Board are: Carolyn Armstrong, City Manager, Colby and Dave Howard, City Manager, Pratt. Representing KMGA, in addition to John Sweet, are Mike Gilliland, Director of Utilities, Osage City and Ron Huxman, City Administrator, Moundridge. Galen Cummins, Water/Electric Superintendent, Mulvane, serves as Member-At-Large.

The Joint Board Chairmanship alternates between KMEA and KMGA each year, with two additional representatives from each agency serving staggered, two-year terms. The Member-At-Large is elected to a one-year term by the other six members.

KMEA Establishes New NERC Compliance Position

Starting in 2007, cities with a peak load of more than 25 MW and a 100kV connection to the grid became subject to hundreds of NERC (North American Electric Reliability Corporation) rules and criteria. Failure to comply with these criteria can result in substantial fines.

To help cities address this change, KMEA has established a new function and hired John Mason as Manager, Compliance and Security.

Currently only a handful of KMEA's member cities are subject to NERC standards. Those cities must comply with NERC rules on everything from equipment testing to vegetation management to security measures. With our new function, cities can share professional NERC compliance services, at an affordable cost.

John, who assumed his new role January 4, has more than 25 years experience in the utility business, with extensive knowledge of NERC audits, so he knows how to develop the policies, procedures and data to avoid potential penalties. John was a System Operator with the Southwestern Power Administration (SPP) for the past two years and a Transmission Operations Supervisor, Senior System Operator and System Operator for Aquila/Missouri Public Service.

Coffeyville will be the first city to use the new service. Under the Coffeyville-KMEA agreement, KMEA will assist the city in the transmission owner function and the task of complying with NERC standards.



**LEARN MORE AT
energystar.gov**

Kansas Power Pool (KPP) Update

By Colin Whitley, General Manager
Kansas Power Pool

Reflection over the activities of the concluding year and looking ahead to the tasks of the coming year seems to be an inevitable exercise in late December. To be sure, 2009 has been a strong year for the Kansas Power Pool. As we look back on the year, it is important to remember that we continued to position ourselves for long-term service to our member communities. We have celebrated these successes throughout the year, but it is enjoyable to be able to look back and see them as a unified whole.

For example, the year saw us secure over 60 megawatts of reliable, affordable power for our member cities. Fifty megawatts will come from Westar's Jeffery Energy Center in the form of a ten-year power purchase agreement. The other twelve megawatts will come from the new wind farm located in KPP member community Greensburg. The wind power project agreement is especially exciting because it is the first in-state wind power purchased by KPP, and we are thrilled to be able to be a part of the economic growth of Greensburg. This is also a 20-year contract, which demonstrates to policymakers that, coupled with our Bowersock Power, Kansas Power Pool is committed to a diversified power portfolio which includes at least ten percent renewable energy. We are also working with member

communities to roll out a robust energy efficiency program. KPP is offering rebates for CFLs, energy audits and replacement of energy inefficient systems.



Our membership also continued to grow. This year we welcomed three new member cities – Anthony, Marion, and Udall. In addition, eighteen member cities signed ten-year contracts with Kansas Power Pool, and more are planning to do so in 2010. The long term contracts help KPP secure low cost financing for critical infrastructure projects that benefit KPP member utilities. Finally, we were able to grow our staff to bring on Larry Holloway as our operations manager. Larry brings a wealth of knowledge from his time at Kansas Corporation Commission, and we both welcome him on board and welcome what retention of Larry Holloway represents for the Kansas Power Pool – a long term commitment to provide industry expertise and the best service for our members.

Finally, a year in review would not be complete without mention of our success in qualifying for unsecured credit with the Southwest Power Pool. Because of accomplishment, we were able to refund \$1.35 million to participating KPP members. This is an unprecedented success which truly brings benefits right to the bottom line of our member cities.

The Kansas Power Pool has had a great year. However, KPP is only as good as its members, and we are thrilled to be able to demonstrate a strong year, because a strong year for the Kansas Power Pool means a strong year for all its member cities. We look forward to 2010, and the continued growth and prosperity that we hope will come. Happy New Year everyone!

Attention Linemen & Electric Utility Supervisors:

Custom "LINEMAN" license plates are available at the KMU office for \$10 apiece.

To purchase one for yourself or for your entire crew, please contact Denise Wilkens at 620.241.1423.



EPA Set to Regulate Power Plant CO2 Emissions

On December 8th, the Environmental Protection Agency (EPA) issued a final finding that greenhouse gases pose a danger to human health and the environment. The move clears the way for new Clean Air Act regulations to limit carbon dioxide (CO2) emissions from power plants, vehicles and other major sources. Starting next spring, power plants and other large stationary sources of carbon dioxide will be required to use best available control technology to reduce emissions when they modify or construct plants, EPA Administrator Lisa Jackson said. As a result of the finding, EPA "is now authorized and obligated to take reasonable efforts to reduce greenhouse pollutants under the Clean Air Act," Jackson said. Elevated concentrations of greenhouse gases "endanger both the public health and the public welfare of current and future generations," EPA said.

The move by EPA was expected and timed to immediately precede the U.N. climate talks in Copenhagen. As EPA Administrator Jackson noted, the endangerment finding "also means that we arrive at the climate talks in Copenhagen with a clear demonstration of our commitment to facing this global challenge. We hope that today's announcement serves as another incentive for far-reaching accords in our meetings this week." In the end, however, the U.N. Copenhagen climate change conference did not result in any real agreement between nations.

"The message to Congress is crystal clear: get moving," said Sen. John Kerry, D-Mass., who is leading the effort in the Senate to enact a climate change bill. "If Congress does not pass legislation dealing with climate change, the administration is more than justified to use the EPA to impose new regulations." At this point, it is expected that "cap & trade" legislation will be addressed again in the U.S. Senate over the next several months.

In related news, the National Cattlemen's Beef Association was the first organization to challenge the EPA final rule in court. The association filed

an appeal with the U.S. Court of Appeals for the District of Columbia Circuit on December 23. On the same day, the Southeastern Legal Foundation, along with nine Republican members of the House of Representatives, filed a petition with EPA to reconsider the endangerment finding.

"EPA's finding is not based on a rigorous scientific analysis, yet it would trigger a cascade of future greenhouse gas regulations with sweeping impacts across the entire U.S. economy," said Tamara Thies, chief environmental counsel for the National Cattlemen's Beef Association. "Why the administration decided to move forward on this type of rule when there's so much uncertainty surrounding humans' contribution to climate change is perplexing."

"The scientific basis for the EPA endangerment finding is flawed, based on questionable and potentially fraudulent data, and certainly does not rise to the level of certainty necessary to upend the American economy," said Southeastern Legal Foundation Executive Director and Chief Legal Counsel Shannon Goessling.

On September 30, EPA proposed a "tailoring" rule to limit regulation of greenhouse gases by large stationary sources that produce 25,000 or more tons a year of carbon emissions. The current thresholds for criteria pollutants under the Clean Air Act are 100 and 250 tons per year, but those thresholds are not feasible for greenhouse gases, EPA said. Absent the tailoring rule, the lower thresholds would take effect automatically with the adoption of any EPA rule that controls or limits emissions of carbon dioxide and other greenhouse gases.

The endangerment finding is a response to an April 2007 decision by the Supreme Court, EPA said. In *Massachusetts v. EPA*, the Supreme Court ruled that greenhouse gases are air pollutants under the Clean Air Act and that EPA must determine if they pose a danger to public health or welfare, or whether science is too uncertain to make a determination.

KMU Introduces Voluntary Fund

(Continued from page 1)

the need for additional funds to finance special unplanned and unbudgeted activities. One example was KMU's increased Congressional activities surrounding the issue of cap & trade. The Board suggested that the voluntary fund could be used to improve the delivery of the membership's many concerns about cap & trade legislation to Kansas Congressional offices. While no specific earmarks are in place for the fund, other potential examples discussed included enhanced Kansas Legislative activities, the need to develop new net metering policies and procedures for KMU electric members, water service territory, municipal selloff support and necessary legal and engineering assistance unrelated to existing KMU projects. The fund will be distributed

and governed by the KMU Executive Committee.

In a memo to the membership on January 8th, KMU President Merl Page said, "As President, I believe that it is critically important that KMU not take a step backward in representing our membership due to difficult financial considerations in a time of such momentous change in our industries. For this reason, the KMU Board of Directors has recommended that a new voluntary "Legislative & Special Projects" assessment be included with the 2010 membership dues invoices." For more information about this new fund, please contact President Merl Page at the City of Wamego at merlp@wamego.org or Colin Hansen, KMU Executive Director, at chansen@kmunet.org or 620/241-1423.

Wright Reappointed to KCC

Governor Mark Parkinson reappointed Tom Wright as Chairman of the Kansas Corporation Committee (KCC) on January 8th. "Tom's leadership has been instrumental in protecting Kansas consumers and moving our state forward in energy policy," said Parkinson. "Tom has represented Kansas on a number of national organizations, bringing a Midwest voice on energy issues while working with other states. I am extremely grateful for his commitment to public service and look forward to continuing to work together." Wright, originally from Harper and now living in Topeka, was appointed to the Kansas Corporation Commission in May 2007 and was elected Chair in June 2007. The three members of the Kansas Corporation Commission are appointed by the governor and are subject to Kansas Senate Confirmation. Chairman Wright addressed the KMU membership at its annual conference last May.

EPA Tightens Ozone Standards

In addition to recent moves to regulate greenhouse gas (GHG) emissions, the Environmental Protection Agency (EPA) has also set its sights on tightening standards for smog or ground-level ozone. On January 9th, EPA proposed lowering the current standard for ground-level ozone from 0.075 parts per million (ppm) over any eight-hour period to between 0.060 and 0.070 ppm. This would constitute the strictest-ever smog limits and could put new portions of Kansas and the United States in violation of federal air quality regulations. As an example, every county in the state of Alabama that is monitored for air quality would violate the new limits, compared to about half under the previous standard. EPA said the costs of carrying out the proposed rule would be between \$19 billion and \$90 billion and said that the proposal would yield health benefits of between \$13 billion and \$100 billion.



KMU Legislative Updates Now Available

Interested in receiving weekly legislative updates from KMU concerning pressing utility and city-related news from the 2010 Legislative Session? KMU members and associate members may subscribe by emailing Colin Hansen at chansen@kmunet.org.

Many Thanks to 2009 KMU Associate Members

On behalf of the city and utility members of KMU, we would like to thank all the consultants, suppliers and vendors that supported the association as KMU Associate Members in 2009. We greatly appreciate the encouragement and assistance of these fine companies and individuals.

When making purchasing decisions at your city, KMU strongly encourages its members to first consider those companies that support and assist your state association through the associate member program. Thank you for all your continued support!



Altec Industries
B & L Electric, Inc.
BHC RHODES
Black Hills Energy
Bucher, Willis & Ratliff Corp.
Capital Electric Line Builders
Chubb Group of Insurance Co.
CLS, LLC
Drake-Scruggs Equipment
Electical Reliability Services
Electric Utility Service Co.
EMG, Inc.
Exothermic Engineering, LLC
Foley Equipment Co.
Gilmore & Bell, P.C.
Harold K. Scholz Co.
Hatch & Kirk, Inc.
HD Supply, Inc.

ITC Great Plains
Kansas City Power & Light
Kansas Gas Service
Kansas One-Call Systems
Lutz, Daily & Brain, LLC
Metron Farnier
MGT of America, Inc.
Mid-States Energy Works
Midstates Erectors, Inc.
Midwest Energy, Inc.
Nesco Sales & Rentals
NovaTech LLC
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Olsson Associates
Omaha Public Power District
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Piper Jaffray & Co.
Postal Presort, Inc.

Professional Eng. Consultants
Protective Equipment Testing Lab
Ranson Financial Consultants, LLC
Safety Tree Service
Sawvel and Associates, Inc.
Sega, Inc.
Shafer, Kline & Warren, Inc.
Siemens Energy & Automation
Solomon Corporation
Stanion Wholesale Electric
T & R Electric Supply Co.
The McCaskey Company
TradeWind Energy
Utility Consultants, Inc.
Utility Contractors, Inc.
Utility HelpNet, Inc.
Westar Energy, Inc.

New Municipal Member

City of
WATHENA

Utilities: Electric & Water
Location: Doniphan County
Population: 1,296

www.cityofwathenakansas.org

New 2010 Associate Members



Gencur Svaty Public Affairs was founded to elevate awareness of new ideas and generate understanding of existing concepts among policy makers, thought leaders and the public, offering a unique approach to public relations.

www.gencursvaty.com



Payment Service Network, Inc. offers an all-encompassing suite of payment processing and bill presentment solutions that provide businesses with the ability to process and manage their payment processing solution through a single-source turnkey platform.

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Associate Member Spotlight

Westar Energy, Inc. is the largest electric energy provider in Kansas providing safe, reliable and affordable energy to more than half a million residents.

Headquartered in Topeka, Kan., Westar employs about 2,400 people and serves about 684,000 customers in much of east and east-central Kansas. Westar Energy has about 6,800 megawatts of electric generation capacity. The newest facility, the Emporia Energy Center, is a 665-megawatt natural gas-fired combustion turbine peaking plant located in rural Lyon County. Westar operates and coordinates 35,000 miles of transmission and distribution lines.

Westar's diverse generation portfolio includes nearly 300 megawatts of carbon-free energy produced from three wind farms. Westar owns and operates the Central Plains Wind Farm in Wichita County, owns half of the Flat Ridge Wind Farm facility in Barber County and purchases power produced by the other half, and purchases power produced by the Meridian Way Wind Farm in Cloud County.

Westar is proud to help shape the energy future by building a robust transmission system for Kansas as well as for the region. The company recently put a new, 345-kilovolt transmission line in service that stretches from Wichita to the Hutchinson area. A second phase will extend the line from near Hutchinson to Salina. Other planned projects include a 345-kV line from Rose Hill, south-east of Wichita, to the Oklahoma border as well as plans to build the highest capacity, most technically advanced transmission line ever built in Kansas or the Southwest Power Pool through Prairie Wind Transmission. Prairie Wind Transmission is a joint venture between Westar and Electric Transmission America. The company's first project is a 765-kV line that would extend west from Wichita to Spearville and south to the Kansas/Oklahoma border. Kansas is the third leading state for wind generation potential with the heart of that wind potential in western Kansas. This transmission superhighway would promote future wind generation growth by providing a route for moving that clean energy to other markets.



Emporia Energy Center, Lyon County



For retail city customers:

Business Center – 24/7
800.826.0026

**For wholesale transmission
and distribution customers:**

Electrical outage number – 24/7
866.880.0478

For any power delivery needs:

Suzanne Lane
Manager, Transmission Customer Service
suzanne.lane@westarenergy.com
785.575.8243

For wholesale generation and marketing:

David Shupe
Manager, Wholesale Business
785.575.8090
or
Bill Birnel
Wholesale Manager
785.575.6454

www.WestarEnergy.com

The Other Shoe

APPA Washington Report
by Robert Varela
Editor, Public Power Weekly

The Environmental Protection Agency on Dec. 7 dropped the proverbial other shoe in the ongoing effort to limit greenhouse gas emissions.

Timed to coincide with the opening of international talks on climate change—critics may note it was Pearl Harbor Day—the agency issued a final finding that carbon dioxide and five other greenhouse gases pose a danger to human health and the environment.

Observers had been waiting for this shoe to drop since at least April, when EPA released its proposed endangerment finding, and in some cases since April 2007. That was when the Supreme Court ruled that greenhouse gases are air pollutants under the Clean Air Act and EPA must determine if they pose a danger to public health or welfare, or whether science is too uncertain to make a determination.

The agency did not set any limits or otherwise regulate greenhouse gas emissions with its finding. However, it did more than simply position the agency to perhaps issue a regulation. As a result of the finding, EPA “is now authorized and obligated to take reasonable efforts to reduce greenhouse pollutants under the Clean Air Act,” EPA Administrator Lisa Jackson said. And the agency isn’t wasting any time.

Starting this spring, power plants and other large stationary sources of carbon dioxide will be required to use best available control technology to reduce emissions when they modify or construct plants, Jackson said.

Before then, in what could be a crucial step, EPA will issue guidance on what constitutes best available control technology for greenhouse gases. As much as some vendors and others would like people to believe it, carbon capture and sequestration on a scale to accommodate the output of a baseload power plant is still far from being commercially available. In one encouraging sign, Jackson said EPA can’t make people use technology that doesn’t exist.

That being said, all it takes is one successful CCS plant to make it the best available control technology. As a possible alternative, EPA could deem integrated gasification combined-cycle technology as the best available control technology at present.

Jackson clearly had an eye on the political schedule when she declared that power plants would be required to use the best available technology starting in the spring. The Senate plans to take up a climate change bill in early spring.

“The message to Congress is crystal clear: get moving,” said Sen. John Kerry, D-Mass., who is leading the effort in the Senate to enact a climate change bill. “If

Congress does not pass legislation dealing with climate change, the administration is more than justified to use the EPA to impose new regulations.”

Everyone—including Lisa Jackson and President Obama—agrees that legislation is far preferable to regulation (under the existing Clean Air Act) when it comes to dealing with global climate change. As APPA members pointed out in a 2009 policy resolution, the Clean Air Act “is particularly unsuited for such a task.” Sen. Lisa Murkowski, R-Alaska, has tried once and plans to try again to block EPA from regulating greenhouse gas emissions, but she’s almost certain to fail (absent a climate change bill).

EPA has moved to take one controversial issue off the table by proposing to limit the scope of any regulation. The law calls for regulation of sources that emit 250 tons of a “criteria” pollutant (such as carbon dioxide) per year, but the agency has proposed a “tailoring” rule so any regulation would apply only to sources that emit at least 25,000 tons per year.

Whether justified or not, EPA is now obligated to regulate emissions of carbon dioxide and other greenhouse gases from power plants and other stationary sources. That train is coming down the tracks. Whether it’s sidetracked by Congress or the courts—or whether it results in a wreck—remains to be seen.

Classified Ads

Water Quality Superintendent

The City of Nixa, MO is seeking qualified applicants for the position of Water Quality Superintendent (Assistant Public Works Director). The Water Quality Superintendent manages, directs and coordinates activities for the Water Quality Division of the Public Works Department, including water production, storage and distribution systems, wastewater collection and treatment systems, composting facility and Recycle Center. Manages, directs and coordinates activities for all Public Works Departments and facilities in the absence of the Director and at other times as directed by the City Administrator or Director.

Knowledge, ability and skill in personnel management, budget preparation and administration, effectively interpret and apply Federal, State and local policies, procedures, laws and regulations, skill and experience in oral and written communications, reviewing and interpreting civil engineering drawings and plans, operation of personal computer and various software packages such as MS Office, Outlook, Word and Excel.

Nixa is located 10 miles south of Springfield, MO and 30 miles north of Branson, MO. Nixa is a fast growing, family orientated community.

The City of Nixa provides a generous benefit package including medical, dental, life insurance, vision,

retirement and paid leave. Annual starting salary is \$44,339.

A complete job description with a list of qualifications is available with the application. Please contact Sharon Hankison at 417 724-5626 or e-mail shankison@nixa.com if you have questions or would like to request an application packet. The City of Nixa is an Equal Opportunity Employer.

City Manager

Holton, Kansas (3,400) Starting Salary: \$65,000 - \$75,000 DOQ plus benefits. ICMA (CM) recognized in 1948; 4 managers since 1967. 5-member elected City Commission; \$10 million budget; 48 full-time employees. Full service county-seat community located in Northeast Kansas 30 miles north of Topeka. Historic community operating police, fire, street and parks and recreation departments and electric, water, wastewater municipal utilities including operation of wholesale water supply district. Knowledge and experience in finance and budgeting,

project development, growth management, and municipal utility operation preferred. Essential qualities include strong communication, leadership, and consensus building. Required bachelor's degree, prefer master's degree in public administration; 5 years of increasingly responsible municipal management experience including municipal utility management; or equivalent combination of education and experience. Submit cover letter, resume, salary history, and 3 work related references to City Manager Search, c/o City Clerk, 430 Pennsylvania Avenue, Holton, Kansas 66436, by January 29, 2010.

Senior Financial Analyst

(\$6,634.00 - \$8,293.00 - \$9,167.00 Per Month) The Kansas City Board of Public Utilities (KCBPU) is seeking a qualified professional to fill the position titled Senior Financial Analyst. The successful candidate will develop, analyze and maintain financial models pertaining to project development and manages rate and/or regulatory filings, costs and benefits, pricing

projections, accounting methods and audits.

- Bachelor's Degree in economics, finance, accounting, engineering, business administration or a related field required.
- Thorough knowledge of accounting methods and practices and audits required.
- Documented experience monitoring, analyzing and evaluating rate and/or regulatory filings, costs and benefits and pricing projections required.

Must relocate to Wyandotte County, Kansas within six (6) months from the date employment begins. Please complete the online application at www.bpu.com. You may contact Human Resources at 913.573.6915 or e-mail deleon@bpu.com. EOE, F/M/V/D

If you would like to place a classified ad, please contact Denise Wilkens at 620/241-1423 or email her at dwilkens@kmunet.org.



2010 Legislative Rally

February 22–February 25, 2010
The Mayflower Hotel Washington, DC

Each year, APPA's Legislative Rally attracts approximately 700 utility managers, board members and locally-elected officials from public power communities across the U.S. to shape the Association's legislative priorities and communicate the value of public power to Members of Congress.

Once again, this premier public power event is being held at the venerable Mayflower Hotel. Don't miss this opportunity to impact public power's legislative policy—register today!

For more information, including the registration form and hotel information, go to the "Events Calendar" online at www.APPAnet.org or contact the Jacqueline Williams in the meetings department (202/467-2965; jwilliams@APPAnet.org). For additional program details please contact Joy Ditto at 202/467-2954; jditto@APPAnet.org.





kansasmunicipalutilities

101 1/2 North Main
McPherson, Kansas 67460
620.241.1423 ph • 620.241.7829 fx
kmu@kmunet.org - email
www.kmunet.org - web

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- **First Day of Legislative Session**
January 11, 2010
- **APPA Legislative Rally**
February 22-25, 2010
The Mayflower Hotel
Washington, DC
- **Build Green Conference**
Hosted by Kansas City BPU
April 29, 2010
Jack Reardon Convention Center
Kansas City, Kansas
- **81st Annual KMU Conference**
May 12-14, 2010
Hyatt Regency Hotel
Wichita, Kansas

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Kansas Municipal Utilities, Inc.
101 1/2 North Main Street
McPherson, Kansas 67460
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kmu@kmunet.org - email
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