



# CURBside NEWS

A Newsletter of the Citizens' Utility  
Ratepayer Board

January 2001

## Western Resources Files Rate Case

### **Western Resources Requests \$151 Million**

Western Resources has filed an application with the Commission requesting a \$151 million rate increase. In the November 27, 2000 filing, (KCC Docket No. 01-WSRE-436-RTS) consisting of more than 1000 pages of testimony and supporting schedules, Western asks the KCC to increase the retail electric rates of its Kansas Power and Light (KPL) division by \$93 million. Western also seeks to increase the retail electric rates of its Kansas Gas and Electric (KG&E) division by \$58 million.

The proposed rate increase will cost the average KP&L residential customer an additional \$9.25 per month. The average KG&E customer will pay an additional \$6.50 per month.

Western claims that an increase in consumer rates is needed to pay for the cost of adding approximately \$230 million in new gas fired power plants on the KPL system, increasing operating and maintenance costs and an increase in the cost of natural

gas used to run its generating units.

CURB has intervened in this rate application and will take a firm stance against the proposed rate increases. CURB believes that much of the proposed increase is due to artificial regulatory adjustments, not actual increases in cost. For example, Western's proposed changes in its allowed depreciation rates for its Wolf Creek power plant account for millions of dollars of the increase. Likewise, Western proposes an artificial capital structure, resulting in an artificial tax liability that costs ratepayers millions of dollars.

Also of significant concern to CURB is the allocation of costs between Western's regulated electric utility properties and its unregulated affiliates. CURB is reviewing these allocations to find whether Western is attempting to charge Kansas electric consumers for costs that are attributable to its money losing operation of its Protection One alarm company subsidiary.

Several other parties have also intervened in this case, with the goal of reducing Western's rates. These include the cities of

Wichita and Topeka, a group of large industrial customers, several school districts and municipal agencies, and other electric utilities.

The hearing before the Commission is slated to begin in May.

### **Western Resources Announces Sale**

On November 9, 2000, Western Resources announced the sale of its electric utility operations to Public Service Company of New Mexico (PNM). Western proposes to transfer ownership of its KP&L and KG&E subsidiaries to a holding company controlled by PNM. The holding company, to be named later, will transfer new shares to Western's shareholders. Western will retain ownership of its non electric subsidiaries including its 85% ownership in Protection One and its 45% ownership of ONEOK

At the time of the announcement, the deal was valued at approximately \$4.4 billion. The holding company will assume approximately \$2.9 billion of Western's debt.

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While no application has been filed to date at the Commission to approve this sale, CURB will actively participate in the case once it is filed. CURB believes that under the terms of the sale, it appears Western is attempting to saddle its electric ratepayers with an enormous amount of debt that CURB believes is more properly assigned to its Protection One. Western's remaining non utility assets will be nearly debt free after the sale.

PNM serves more than 1.3 million electric and natural gas customers in New Mexico and owns 1,521 megawatts of generation capacity.

### **WestPlains Energy Files for Rate Increase**

In a December 8, 2000 application, WestPlains Energy has filed to increase consumer rates by \$14.2 million annually. (KCC Docket No. 01-WPEE-473-RTS) This comes on the heels of the Commission's recent order reducing WestPlains rates by \$8.3 million annually. (KCC Docket No. 99-WPEE-818-RTS)

WestPlains claims that existing retail rates are "unjust and unreasonable in that its jurisdictional earnings are deficient." WestPlains proposes to increase rates by \$5.2 million and eliminate the \$8.3 million reduction previously ordered by the Commission. To date, WestPlains has not reduced consumer rates to account for the \$8.3 million reduction, but is accruing this money on its books.

It appears that, after failing to prevail in its last rate case, UtiliCorp simply wants to re-litigate the issues already decided by the Commission. The Commission's decision to reduce rates was upheld as lawful by the Kansas Court of Appeals.

CURB has intervened and will actively participate in this current case to insure that ratepayer receive the full benefit of the Commission ordered rate reduction.

WestPlains provides retail electric service to approximately 64,500 customers in Kansas.

### **More WestPlains Energy**

The Commission recently opened two dockets affecting WestPlains Energy. KCC Docket No. 01-WPEE-532-TAR will consider whether it is appropriate to eliminate WestPlains current Energy Cost Adjustment (ECA) clause. (Similar to a PGA for LDC's) WestPlains is the last jurisdiction electric utility to maintain an ECA clause.

In KCC Docket No. 01-WPEE-533-TAR, the Commission will consider how the \$8.3 million rate reduction ordered by the Commission in KCC Docket No. 99-WPEE-818-RTS, will be allocated between WestPlains rate classes. CURB will actively participate in both dockets.

### **UtiliCorp Cancels Empire Merger**

UtiliCorp United Inc., has canceled its plan to merge with

Empire District Electric Company. In a recent news release, UtiliCorp explained the "significant remaining uncertainty of the lengthy regulatory process prevents any reasonable expectation that the merger could ever be completed with balanced benefits accruing to the Empire's customers and the shareholders of both companies."

To complete the \$800 million merger, UtiliCorp and Empire needed the regulatory approval of several states, in addition to approval from the Federal Energy Regulatory Commission (FERC). While UtiliCorp did receive approval from FERC, the Commission in the state of Arkansas denied the merger. The Missouri Commission approved the merger, but did not approve UtiliCorp's regulatory plan, under which UtiliCorp proposed to collect most of the \$285 million acquisition premium from ratepayers. Likewise, the KCC also denied the regulatory plan, and suggested that it would consider the proposed merger further if UtiliCorp filed a different regulatory plan.

UtiliCorp proposed a regulatory plan under which Empire would file a rate case, and then have a rate moratorium for five years. UtiliCorp also proposed placing a portion of the acquisition premium paid to Empire shareholders as an inducement to merge, into ratebase to be charged directly to Empire's ratepayers.

On behalf of residential and small commercial customers, CURB actively opposed this merger. (KCC Docket No. 00-

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UCUE-677-MER) CURB argued that allowing Empire to file a rate case, given Empire's recent expansion of its generating facilities, would artificially increase rates to consumers. UtiliCorp would then benefit from these high rates during the five year moratorium. Consumers would see no benefit from this merger until the end of the five year rate moratorium. Analysis presented in testimony also called into question whether the merger would produce any of UtiliCorp's claimed savings for ratepayers.

The Commission agreed with CURB in its January 4, 2001 order, finding that "there are significant problems with the basic components of the proposed plan." The Commission, consistent with its ruling in the recent Western Resources/Kansas City Power & Light merger, outright denied placing any of the acquisition premium into ratebase, saying that it would subject Kansas ratepayers to an undue burden of the cost of the merger.

The Commission also determined that a provision of the proposed plan that limited KCC Staff ability to participate in Empire rate hearings during the term of the moratorium was unlawful. Specifically, "the Commission agrees with CURB that the Commission cannot approve any condition that would require that the Commission or Staff not fulfill their statutory duties." Finally, the Commission concluded that "the problems with the proposed plan are so substantial that further review of the remaining

merger issues is not warranted at this time."

Empire District Electric Company is based in Joplin, Missouri, and provides electricity to about 145,000 customers in southwest Missouri, southeast Kansas, northeast Oklahoma and Northwest Arkansas.

### **Related Developments**

UtiliCorp United Inc. has received approval from the Missouri Public Service Commission to complete its proposed merger with St. Joseph Light & Power Company. The two companies completed the merger December 31, 2000.

St. Joseph Light & Power Company serves 66,000 electric and gas customers in northwest Missouri.

### **KGS Weather Normalization Program Approved**

In an Order dated October 27, 2000 the Commission approved a stipulation and agreement between Staff and KGS creating the Kansas's first approved Weather Normalization Rider program. (KCC Docket No. 01-KGSG-229-TAR) Under the stipulation and agreement, in exchange for approving the program, KGS agreed to not file for a general rate increase for at least two years.

CURB took no position on the stipulation, but did file testimony opposing Weather Normalization mechanisms. CURB is not in favor of the

precedent set by the Commission approving this program, however, CURB recognizes the tangible benefit to residential and small commercial ratepayers of KGS's commitment to forgoing a general rate increase for at least two more years.

Under the Weather Normalization program, retail customers would receive a small refund when winter weather is colder than normal. In a colder than normal winter the volume of natural gas consumers use to heat their homes increases. KGS earns profits above its allowed return when consumers increase their usage. The Weather Normalization program refunds this extra profit to consumers. The tradeoff is that retail customers will have to pay slightly more to KGS when winter weather is warmer than normal, since consumers will use less natural gas to heat their homes. Over time, this program is intended to let KGS earn its Commission allowed revenue requirement, no more, no less.

Given that December was 30% colder than normal, the second coldest December on record, consumers could see a refund under this program beginning in April.

### **Commission Approves Pilot Performance Base Rate Plan**

The Commission recently approved, over the objections of CURB, a framework for a Performance Based Rate Plan for natural gas local distribution companies in it Kansas. (KCC

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Docket No. 00-GIMG0425-GIG) In a November 1, 2000 Order, the Commission approved a stipulation and agreement that will allow LDC's the opportunity to earn profits buying gas on behalf of retail customers. Up to this point, an LDC has not been allowed to profit buying gas to serve retail customers.

While PBR programs for gas purchasing have been proposed before, this is the first time the Commission has given a PBR program its blessing.

The program applies only to daily and monthly gas purchase contracts. An LDC will be allowed to file an application to establish a benchmark gas price. The benchmark price will be based on one of the available market index prices representative of where the LDC actually purchases gas. Once the benchmark price is established, the LDC can keep 50% of what it saves consumers by purchasing below this benchmark. The LDC will also be required to pay 50% of what it loses consumers by buying above this benchmark. The Pilot Program will run for three years, and is voluntary. To date, no LDC has filed to take advantage of this program.

CURB opposed this PBR program. The program is billed as providing an incentive for the LDC to do a better job buying gas on behalf of its retail customers, i.e., if you let the LDC profit buying gas, it will do a better job than it is currently doing. CURB maintained that the LDC is already required to do a good job buying gas on behalf of its retail customers.

Consumers should not have to give additional compensation to the LDC to do what is already required. To accept the argument that this program will result in better gas purchasing also requires that the Commission admit that the LDC is not currently meeting this standard.

The proposed PBR program is a result of a Commission docket opened last year to investigate retail choice programs and inquire about alternative regulatory measures to bring the benefits of the competitive gas market to retail customers of LDC's.

(KCC Docket No. 99-GIMG-538-GIG)

### **CURB Submits Comments on Review of Gas Purchase Contracts**

As a result of the Commission hearing in the PBR Pilot Program, the Commission also issued a November 1, 2000 order in KCC Docket No. 106,850-U, modifying the procedures and requirements for filing and review of gas purchase contracts.

Some quick history. KCC Docket No. 106,850-U created the mechanism that allows the LDC to pass, straight through on customer bills, the actual cost of the gas it purchases on behalf of retail customers. The mechanism was created and approved in 1977. Often called the Purchase Gas Adjustment (PGA), although Kansas Gas Service now call it's the Cost of Gas Rider (COGR), the PGA is

adjusted monthly to account for current gas purchase costs. The LDC is not allowed to earn a profit on these gas costs. The original order requires the Staff of the KCC to monitor and audit the PGA costs, and requires the LDC to file all of its contracts together with a statement of alternatives explaining the what alternative gas contracts were available and it chose the option it did.

In its latest order, the Commission reiterated its finding the KCC Docket 99-GIMT-538-GIG that "the existing prudence review of the gas purchasing practices of natural gas local distribution companies had not kept pace with changes in the industry and it would be appropriate to amend the existing purchase gas adjustment mechanism." The Commission set out new filing requirements and review standards. However, the LDC's opposed the modifications and the Commission tabled the effective date of the Order, requesting parties to file additional comments and participate in a round table discussion on the issues.

CURB has filed comments requesting the Commission enforce its original order and update its filing requirements to address daily and monthly contracting activities. CURB believes it is necessary to update the current contract review procedures and standards to insure that unreasonable costs are not passed through the PGA to consumers. CURB believes that the current review procedures are inconsistent, resulting in a failure to review

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each gas purchase contract. CURB also requested that the Commission require gas purchase contracts, along with other services, to be obtained through a competitive bidding procedure.

In an interesting turn of events, the Staff of the KCC has filed comments that suggest that it is only required to "audit" monthly PGA reports, but not required under the 106,850-U order to review contracts. This issue will be the subject of debate at the round table discussion, but does beg the question: "Are gas purchase contracts being reviewed at all?" Unfortunately for consumers, the answer may turn out to be... NO!!

### **KGS Seeks Approval to Continue Gas Hedge Program**

In a December 15, 2000 motion, Kansas Gas Service Company asks the Commission to approve spending \$4.6 million dollars in 2001, to continue KGS's Gas Hedge Program. (KCC Docket No. 98-KGSG-475-CON) KGS seeks approval to pass this cost to KGS customers in their monthly bill, under the monthly Cost of Gas Rider (COGR).

The KGS Gas Hedge Program began in January, 1998. The goal of the program is to create a ceiling or cap on the price of natural gas in the winter, so that consumers are protected from winter price spikes in the natural gas markets. KGS seeks to accomplish this by using

financial instruments to generate revenue from the value of its natural gas in storage, and to use this revenue to buy call options, thereby creating ceiling or a cap on winter gas prices.

The first winter heating season that this program was in effect was abnormally warm, with low natural gas prices. Therefore, the impact of the program was minimal. However, the current winter has been abnormally cold, with extraordinarily high natural gas prices. CURB is actively evaluating the performance of the Gas Hedge Program this winter, and will respond to the KGS motion in short order.

### **Commission Approves KGS Low Income Assistance Program**

Kansas Gas Service Company, CURB and the KCC have worked together to approve an emergency assistance program to help some low income consumers pay their heating bills this winter. (KCC Docket No. 01-KGSG-494-TAR) In a January 2, 2001 Order, the Commission approved a Stipulation and Agreement that would set up a program to defray 50% of the cost of gas portion of identified customers winter bills on the KGS system. With the help of the American Red Cross in Kansas, up to 7500 low income customers will be identified who do not qualify for other energy assistance programs. These customers must maintain their account in good standing throughout the program, but will

benefit by having half of the cost of gas removed from their bill.

The program is aimed at those customers who fall outside of the income guidelines to qualify for the Low Income Energy Assistance Program (LIEAP), which provides energy assistance for individuals with incomes up to 130% of the Federal Poverty Guidelines. This program aims at those individuals with incomes between 130-200% of the Federal Poverty Guidelines, and who have not received energy assistance from LIEAP or Project Deserve.

KGS estimates that this assistance will cost approximately \$3.0 million, although the actual cost is unknown at this time.

The Commission has approved funding this program from ad valorem refunds currently held by KGS but not yet refunded to consumers. KGS currently holds \$8.6 million in refunds attributable to residential and general sales customers. KGS will reserve \$3.0 million to fund this program, and proposes to place the balance of this money into its general Cost of Gas Rider to help defray the high costs of gas for all KGS retail customers.

In addition to this program, the ONEOK Foundation has given the American Red Cross in Kansas a grant of \$750,000 to provide additional energy assistance to Kansans.

## **CURB Argues at the Kansas Court of Appeals**

CURB appealed a recent Commission Order raising consumer rates. Arguing in front of a three judge panel at the Kansas Court of Appeals, CURB argued that the Commission's June 23, 2000 Order increasing consumer rates for UtiliCorp United's gas divisions was unlawful, arbitrary and capricious.

As detailed in the last CURBside News, the Commission approved a \$4.78 million rate increase for UtiliCorp in a recently completed rate case (Docket No. 00-UTCG-336-RTS) Close to \$4.3 million of the total increase will be paid by residential and small commercial customers. UtiliCorp residential customers will see the "margin" portion of their gas bill increase from \$1.54 /MMBtu to \$1.95 /MMBtu, a 26% increase.

CURB actively opposed this rate increase in hearings before the Commission. At issue were discounted contracts to large industrial customers, which the Commission has failed to review. CURB argued that the Commission should not raise residential and small commercial customer rates without first determining whether UtiliCorp had acted prudently in offering the discounts to large industrials.

Arguing before the Kansas Court of Appeals, CURB asked that the Commission's order approving the rate increase be overturned for lack of reasoned decision making, and failure to

state the facts upon which the Commission relied in approving the increase. Kansas law requires that any Commission order state with sufficient specificity, the applicable law and facts of the case that support the Commission's decision. CURB believes that the Commission failed to do so in this case.

Unfortunately, the Court of Appeals upheld the Commission order, although, even the Courts noted that "a better practice would have been for the Commission to provide more detailed findings of fact." The Court also upheld a Commission ruling that CURB had not met its burden of proof in the case. CURB maintained that the Commission impermissibly placed a burden of proof on CURB rather than UtiliCorp, and then ignored CURB's evidence that UtiliCorp, under oath, failed to produce any evidence to support its action of discounting contracts to industrial customers.

CURB has filed an application for review at the Supreme Court of Kansas. While there is no guarantee that the Supreme Court will review the case, CURB believes that the Court of Appeals simply failed to correctly apply Kansas Law, compounding the errors made at the Commission.

Stay tuned!

## **Commission Recommends SWBT for Long Distance**

On November 20, 2000, the KCC officially recommended to the Federal Communication Commission that Southwestern

Bell's 271 filing be approved and that SWBT be allowed to provide interLATA long distance service in Kansas. The FCC required that each state investigate whether its telecommunication were sufficiently competitive at the local level, and report back its recommendation. Only after the FCC is convinced that SWBT has opened its local market to competition, will the FCC allow SWBT to compete in the long distance market.

The FCC has only approved two other states nationwide for this status, both of which are significantly larger than Kansas. These include Verizon (formerly Bell Atlantic) in New York and SWBT in Texas. The FCC will make a decision by January 24th on the SWBT Kansas 271 approval.

Under this docket, the Federal Communications Commission ("FCC") has the option to use information from state proceedings (along with recommendations from the Department of Justice) in determining whether to allow Southwestern Bell Telephone Company of Kansas ("SWBT") to provide interLATA long distance service (long distance between LATAs) in Kansas to compete with AT&T, MCI, Sprint and other long distance carriers. Currently, SWBT can only provide long distance service within a LATA, which is roughly equivalent to an area code.

Before SWBT can gain approval to provide interLATA long distance service it must first meet the requirements of Section 271 of the 1996 Federal

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Telecommunications Act, which require that SWBT open its historically monopoly local exchange business to competition. In other words, if SWBT opens its monopoly local exchange business so that other carriers can provide local service, then SWBT is allowed to compete in the interLATA long distance arena.

The FCC has interpreted the Federal Act to mean that SWBT can still be a virtual monopoly provider of local service, and does not have to lose a certain amount of local exchange market share in order to gain 271 approval. A preliminary assessment appears to be that the FCC places a great amount of weight on whether SWBT is merely allowing its same service to be "resold" by other carriers, without other carriers actually providing their own local services.

CURB opposed the SWBT application because of the absence of local competition in Kansas, inadequate data filed by SWBT to assess compliance with Section 271, inadequate penalties if SWBT backslides on its promises to promote local competition after gaining 271 approval, the absence of any meaningful benefits or reductions in interLATA long distance rates by SWBT and concerns with SWBT's monopoly status in providing access to long distance carriers. CURB believes that the Kansas market is not irreversibly open to competition and that local exchange competition in Kansas is not even close to that in New York and Texas.

More specifically, a number of tests showed that competitors have less than 1% of the local exchange market share in Kansas, and SWBT still has a virtual monopoly. In addition, at least 35 to 40 other states can make a better case for local exchange competition than can Kansas, and Kansas ranks among the last in several competitive measures. Finally, SWBT indicates it will offer 9 cent/minute long distance rates if approved. CURB indicates this is not an incentive for approval since this rate is commonly available by other long distance carriers.

The KCC Staff Report recommending approval of SWBT's 271 filing did not mention one single benefit which would accrue to Kansas customers, it did not promise reductions in long distance rates, reductions in local exchange rates, improvement in service quality or increases in new services or technology. Therefore, CURB believes the SWBT filing is premature at this time. CURB has filed comments with the FCC expressing its concern with the SWBT 271 filing.

### **Commission Orders Reciprocal Compensation**

On December 18, 2000, the Commission issued an Order finding that reciprocal compensation should be paid for traffic to an internet service provider. (KCC Docket No. 00-GIMT-1054-GIT) Reciprocal compensation is the arrangement between two local exchange

carriers in which each carrier compensates the other for the transport and termination of local calls that originate on one carrier, but terminated on the other.

Reciprocal compensation between local carriers has become a hot issue with the increasing popularity of the internet. Many internet service providers (ISP's) are located at a competitive local exchange carrier's (CLEC) switch. So, for example, if a Southwestern Bell customer calls a local telephone number to access his/her ISP, and that telephone number is terminated on a CLEC switch, Southwestern Bell must compensate the CLEC for terminating the call. The reverse would hold true also.

The problem, according to Southwestern Bell, is that internet users stay on the line longer than the average telephone user. The result is that Southwestern Bell must pay more money to the CLEC's than it receives for terminating calls originating from a CLEC.

Southwestern Bell argued in a hearing before the Commission that it should not have to pay reciprocal compensation for calls terminating at an ISP telephone number. Southwestern Bell posited that, since the ISP transfers information from throughout the internet world, the call is not really a local call. Since access to the internet does not "terminate" at the CLEC switch, Bell should not have to pay reciprocal compensation. In fact, Southwestern Bell has refused to pay reciprocal

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compensation for telephone numbers it suspects are ISP's.

CLEC's argued that calls delivered to ISP's are functionally identical to local voice calls, using the same paths and the same equipment as a call to a residential or business customer. The CLEC, as the terminating carrier has a right to be compensated.

The Commission agreed with the CLEC's, stating that "a call that terminates at an ISP modem located in the same local calling area as the originating call is functionally identical to a local voice call." As such, the Commission ordered Southwestern Bell to pay reciprocal compensation for call delivered to an ISP.

The Commission also ordered the parties to meet to discuss possible design changes in rates for compensation. The Commission found that evidence at the hearing suggested that there is a difference between the cost to setup and establish a call connections, and the cost of the ongoing duration of the call. Current rates blend these two costs into an average rate per minute. The Commission directed the parties to meet in a good faith effort to devise a bifurcated rate that would represent these two costs more accurately.

Southwestern Bell has asked the Commission to reconsider its decision in this case.

### **Access Charges Under Investigation**

CURB is actively participating in two Commission

generic investigations of access charges in Kansas. (KCC Docket No. 01-GIMT-081-GIT and 01-GIMT-082-GIT)

Access charges are the amounts which long distance carriers like AT&T, MCI and Sprint pay SWBT and other local exchange carriers ("LECs") in Kansas in order to use its monopoly local exchange facilities to originate and terminate long distance calls. SWBT has a monopoly on local exchange facilities, and long distance carriers have no other options other than to pay access charges to SWBT for the use of its facilities. This docket is being actively pushed by the long distance carriers.

The long distance carriers want to reduce the access charge rates they pay SWBT and other LECs. But the long distance carriers appear to favor a plan that would increase local rates, or other nonrecurring monthly rates, of LECs in order to offset the LEC's reduction in access rates. The long distance carriers propose this strategy in order to try and get LECs to buy in to their plan.

At this time no procedural schedule has been established in these dockets. CURB will oppose any plan which proposes to increase the local rates of SWBT, Sprint and other LECs at this time. In the last year, CURB has entered into agreement with both SWBT and Sprint which already provided for access reductions with some minor increases in local rates along with other important benefits such as a free 800 line in rural areas to allow free calls to the county seat and public

schools, expand availability of DSL service and other measures. As part of these agreements, CURB was instrumental in avoided local rate increases as high as \$4.50/line which was originally advocated by both SWBT and KCC Staff.

### **Consumer Counsels Corner**

My corner is very cold at the moment I, like most other consumers, was in shock after receiving my last bill for heating this corner. Really, how much can it cost to heat a little corner? Plenty!

While CURB has worked throughout the fall with the gas utilities and the KCC to warn consumers about the potential for high gas costs this winter, no one anticipated the record setting prices we see today. The January gas contract on the New York Mercantile Exchange closed in the \$10.00 an MCF range. In a winter month, consumers will use, on average, 20 to 30 mcf's of gas. Then you get charged for transporting the gas, charged for the gas utility distribution fee, local taxes..... Well, you got your bill, you know the rest of the story.

The Kansas legislature is back in session. Obviously, gas prices are a hot topic. Special committee meetings are scheduled to investigate why prices are so high. Perhaps the legislature can offer some aid to those hit hardest by these prices, the poor, the elderly, those on fixed incomes.

Unfortunately, the rise in gas prices is likely caused by



A Newsletter of the Citizens' Utility Ratepayer Board national factors, out of the control of the Kansas Legislators. For example, low natural gas prices during the last several years have not provided an incentive for gas producers to explore for new gas. Electric generators are now competing for gas supplies to generate electricity. Also, November and December were some of the coldest on record. All of these factors, and surely several more, added up to huge demand for gas, and the perception, real or imagined, of not much gas supply. Economists like to call this an "imbalance". Consumers have a few other choice words if the telephone in my corner is any indication.

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Unfortunately, absent a Legislative initiative to help consumers pay their bills, little relief is in sight.

In the meantime...Brrrrrrr.

### **In Fond Memory**

Charles H. "Sonny" Freeman, 71, an ardent supporter of CURB and an active member of AARP, passed away October 24, 2000. Sonny was an active participant at CURB Board meetings, bringing a valuable consumer perspective to our discussions. He will be missed.

From the Staff at CURB  
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