



# CURBside News

NEWS FROM THE WATCHDOG FOR RESIDENTIAL AND SMALL COMMERCIAL CONSUMERS OF UTILITIES NOV. 2004

## Aquila in the News

### **Aquila Denied Interim Increase of Electric Rates**

Shortly after Aquila filed its request to increase electric rates by \$19 million, the company filed a request for an interim rate increase.

CURB firmly opposed the request on behalf of residential customers, and several industrial customers supported CURB's efforts to defeat the request.

A hotly-contested hearing in August was followed by an administrative meeting of the commissioners to resolve disagreements among the commissioners.

Their discussion revealed that the majority would oppose an interim increase, but that the minority would not press its position. The chair indicated that an order on the matter would be issued shortly.

However, the order denying Aquila's request for an interim increase wasn't issued until October 8, several weeks after the administrative meeting.

*(See Interim Increase, Page 2)*

### **Aquila Seeks \$6 Million More from Gas Customers**

On Monday, November 1, Aquila filed a request for a \$6,243,756 rate increase for its Kansas natural gas operations. The company serves 104,000 ratepayers in 35 counties in the state, including the communities of Wichita, Lawrence, Garden City, Dodge City, Liberal and Goodland.

If the KCC approves this request, the company claims that the average residential bill will increase by an average of \$4.25 monthly, and the average commercial bill will increase by \$9.00.

In its filing, the company admitted that its high-profile financial problems in the last couple of years might lead some people to presume "that this is an attempt to take advantage of customers and restore financial viability that has been threatened as a result of Aquila investments outside the utility sector." It went on to claim,

*(See Gas Case, Page 3)*

### **CURB's Testimony: Aquila Needs \$2MM not \$19 MM**

If Andrea Crane has her way, the KCC will slash Aquila's request for a \$19.2 million rate increase for its WestPlains Kansas operations down to size.

Crane, an accounting and finance consultant for CURB, filed direct testimony with the KCC on October 14 that said that Aquila needs a \$2.2 million rate increase, not \$19.2 million. She testified that she found many areas in which Aquila has exaggerated its need for an increase. Crane made 26 adjustments to bring the company's request in line with financial reality.

CURB's other witness, Dave Dittmore, testified that Aquila's power purchasing arrangements with its affiliates merited closer scrutiny because they tend to favor Aquila's Missouri and Colorado operations over those in Kansas.

Other parties were almost as aggressive in hammering the

*(See Aquila Testimony, Page 2)*

## Aquila Testimony

(Continued from Page 1)

revenue requirement down to size.

Jim Dittmer, a consultant for several industrial customers, made his case for a rate increase of only \$2.5 million in his testimony. Similarly, the KCC Staff provided testimony supporting only a \$2.9 million increase.

The two biggest adjustments for CURB and the industrial customers were reduction of the company's rate of return to a more reasonable level and elimination of fuel costs associated with two special contract customers. Aquila has claimed \$5 million in losses in fuel costs to serve these customers, who are not subject to the energy charge adjustment that allows Aquila to increase the fuel charges when natural gas prices increase. These two adjustments alone account for a \$9 million dollar reduction to the rate requirement.

Next up on the schedule in this docket is a public hearing in Great Bend on Tuesday, November 9. Rebuttal testimony will be due on November 12. Assuming that the parties do not reach a settlement, a technical hearing will be held November 29 through December 3 at the KCC in Topeka.

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### **ENERGY SAVING TIP!** **Keep closet doors closed.**

There's no reason to heat storage spaces—keep those closet doors closed.

## Interim Increase

(Continued from Page 1)

The Commission denied the company's request on the basis that it had failed to meet its burden of proving that its current rates are no longer just and reasonable.

*KCC Docket No. 04-AQLE-1065-RTS*

### **Public Hearing on Aquila Increase in Great Bend Nov. 9**

The KCC has scheduled a public hearing concerning the requested rate increase for electric service by Aquila (aka WestPlains Kansas) to provide an opportunity for customers to testify before the KCC.

The hearing will consist of two parts. First, there will be a question and answer period to allow customers to ask questions pertaining to the case of KCC Staff, company representatives and members of the CURB staff. The Commissioners excuse themselves from this portion of the hearing.

In the second part of the hearing, customers will be allowed to make their statement to the Commission's three members.

The public hearing is scheduled for 7:00 p.m. on November 9, 2004, in the South Heritage Room at the Highland Hotel, 3017 W. 10th Street, Great Bend, Kansas.

The KCC will accept comments on Aquila's request for the rate increase from Aquila's customers through

November 29, 2004. Written comments regarding this case should reference Docket No. 04-AQLE-1065-RTS and be sent to the Kansas Corporation Commission, Office of Public Affairs and Consumer Protection, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604.

Comments may also be submitted by e-mail at [public.affairs@kcc.state.ks.us](mailto:public.affairs@kcc.state.ks.us), through the KCC's web site [www.kcc.state.ks.us](http://www.kcc.state.ks.us), or by phone at 1-800-662-0027.

*KCC Docket No. 04-AQLE-1065-RTS*

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## **Low-Income Rate in Limbo**

Last December, the KCC opened a generic docket to consider whether gas and electric utilities may offer a discounted rate to low-income customers. The Commission solicited comments from interested parties, including CURB, which were filed in February of this year. Staff was ordered to file a report.

The report has not been filed to date.

So long as it is unclear whether the KCC will approve such proposals, and under what kind of circumstances, the issue remains a murky area of the law. The parties supplied ample evidence to support a decision. Staff has plenty of material from which to build a report.

With several utilities due to come in for rate cases in the next year or so, it would be nice to have this issue resolved.

*KCC Docket No. 04-GIMX-531-GIV*

## Gas Case

(Continued from Page 1)

however, that the troubles of its unregulated businesses are not driving the company to seek a rate increase.

The company also asserts that shareholders, not rate-payers, bore the burden of paying \$7.6 million in severance compensation to exiting CEO Robert Green last year.

Aquila says it is asking for the increase to make additional capital investments, cover increasing operating costs and to make up for a 20% reduction over the last decade in average customer consumption attributable to more efficient furnaces and appliances.

The company claims that it has made exemplary efforts to contain operating costs, but it is asking for a 15% increase for those costs alone.

Also proposed by the filing is a program to help low-income customers weatherize their homes.

CURB is in the process of analyzing the company's request. The KCC has 240 days to investigate the application and issue a ruling on the matter.

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## New Program to Help Kansans with Heating Bills

A new program debuts this fall that is designed to help Kansans who need help with their winter heating bills. Called the Gift of Warmth, the program is a joint effort of the

Kansas Gas Service Company and the Salvation Army.

The program will be funded by customer donations and by a grant from the ONEOK Foundation. ONEOK is the parent company of KGS.

Customers of KGS will have three options to donate during bill payment: they may designate a donation amount to be added to their KGS bill each month, they may choose at any time to include an additional amount in their bill payment check and mark the "Gift of Warmth" box on the return portion of the bill, or they may choose to allow KGS to round up the customer's bill to the next whole dollar, and donate the difference to the program. Of course, anyone may donate to the program by sending a check directly to the Salvation Army.

Assistance from the program will be available to all qualifying residents of the 82 counties served by KGS. Assistance will be available for natural gas, electricity, propane, firewood or fuel oil, and the person seeking assistance need not be a KGS customer.

Besides the residency requirements, applicants for assistance must provide sufficient proof of need, have a gross family income of no more than 200% of the federal poverty level, and must be the person responsible for the primary heating bill for the residence. Grants under the program will be distributed from October 1 to May 31 each year.

## Utility Assistance Programs Soon to Receive \$536,000 Boost

On October 5, 2004, the KCC approved a plan to distribute the remaining *ad valorem* refunds.

As a part of the distribution plan, the Salvation Army and the American Red Cross will receive over half a million dollars in settlement funds and donations from other parties in the docket to be used for heating assistance programs administered by the two charities.

Thanks in part to the Citizens' Utility Ratepayer Board (CURB), which first proposed using these *ad valorem* refunds for utility assistance programs administered by the Salvation Army and American Red Cross, the charities will each receive \$204,667 from the pool of settlement funds from the former Williams pipeline system.

Another \$48,000 in refund dollars from Colorado Interstate Gas will be divided between the two charities.

In addition, Westar Energy agreed to donate its refunds of \$1.1 million to the Project Deserve Trust, which will help fund utility assistance administered through the American Red Cross for customers in Westar's service territory.

Finally, Empire District Electric donated \$7,420 to Project Help, the American Red Cross utility assistance program

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(See *Ad Valorem*, Page 4)

## Ad Valorem

(Continued from Page 3)

in its Kansas service territory.

The KCC order comes almost six years after this docket was first opened to determine how to distribute court-ordered refunds from producers who improperly exceeded federal price caps on natural gas during the 1980s by boosting prices to cover the costs of Kansas *ad valorem* taxes.

Although there are some small details to be hammered out with the pipeline companies before all the final settlement documents can be filed, it's possible that the funds could be distributed before the end of the year.

CURB commends the parties who, after many years of contention, amicably settled their differences and permitted the settlement refunds to be utilized for utility assistance programs. The utilities that donated their refunds should also be commended.

*KCC Docket No. 99-GIMG-068-GIG*

### Ten Cost-free Tips for Cutting Your Energy Bills

#### Get rid of those high wattage halogen floor lamps.

A torchere lamp with a 300-watt halogen bulb gives off less light than a 36-watt compact fluorescent bulb in a conventional lamp, and uses 75% more energy. (Bonus tip: put lamps near walls, especially

corners, to take advantage of more reflected light.)

#### Put your computer to sleep.

Newer computers can be set up to switch into an energy-saving "sleep" after they're idle for a specified period of time.

#### Turn off your icemaker.

Icemakers make your refrigerator use up to 20% more energy.

#### Don't leave exhaust fans running longer than necessary.

Exhaust fans in kitchens and baths left running for an hour can empty your entire house of the air you spent so much to heat or cool. Use them only as long as necessary.

#### Clean out your clothes dryer exhaust duct.

Your dryer will dry more efficiently if you clean the lint out of the exhaust duct twice a year. (It's less of a fire hazard when it's clean, too.)

#### Use your automatic dishwasher.

A dishwasher uses less hot water than hand washing dishes.

#### Let the sun shine in during the winter.

By opening blinds or curtains on sunny days so that the sunshine streams into a room, you can reduce your heating costs significantly. Retain warmth by closing them when the sun goes down.

#### Take a shower, not a bath.

A five-minute shower uses a lot less hot water than a bath in a half-full tub.

#### Move furniture and drapes away from registers.

Furniture and drapes can trap the air that you spend so much money heating or cooling. Remove any obstacles that prevent the air from circulating as it exits the registers.

#### Use cold water when washing clothes.

Modern detergents are designed to work well with cold water. Since about 85% of the cost of operating a washer is heating the water, using cold water produces real savings.

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### Should You Buy a 90% Efficiency Furnace?

Replacing an old, inefficient natural gas furnace can dramatically reduce your heating bills. According to the Kansas State Engineering Extension Office, upgrading a furnace that is more than 20 years old to a new unit with 90% or greater efficiency can reduce your heating bill by around 40% a year.

If your furnace is a standard efficiency unit, which is generally 78% for furnaces built since 1992, you can expect to reduce your heating bill by around 20% a year if you replace it with a new 90%+ efficiency unit.

Trying to figure out whether it's worth it to spend the extra money for a furnace that provides 90% efficiency or more isn't an exact science, but the Engineering Extension Office offers the following figures as a guideline.

Average Kansas natural gas customers use about 75 mcf of natural gas a year to heat their homes. At \$8.50 per mcf, that's \$640 a year.

If you're replacing a pre-1992 furnace, you'll save about \$255 annually. If you're replacing a furnace built since 1992, you'll save about \$130 a year.

Since installing a new 90%+ efficiency furnace will cost around \$2200 (assuming no special installation problems), it would take about 9 years for the furnace to pay for itself in gas savings if you are replacing an old, pre-1992 unit. It would take about 17 years for the gas savings to pay for replacement of a post-1992 unit.

Remember, however, that most experts think natural gas prices could rise higher than \$10 per mcf this winter, and that they will remain high well into the future. The higher the price, the more a high-efficiency furnace will save you, and the shorter the payback time will be.

Even though it takes a long time for a high-efficiency furnace to generate enough savings to justify the cost, the Extension Office points out that with five-year certificates of deposit currently earning less than 3% interest, putting the money into a high-efficiency furnace will pay greater returns.

Keep in mind that furnaces must be replaced periodically anyway: you may as well get the most efficient one that you can afford.

Contact K-State Engineering Extension Service at 785-532-6026 for more information.

## What is VoIP?

Voice Over Internet Protocol, or VoIP, is a type of telephone service that carries calls over the Internet using a broadband (high speed) Internet connection.

Some VoIP providers only allow calls to other people using the same service, but others allow calls to anyone who has a telephone number – including local, long distance, mobile, and international num-bers.

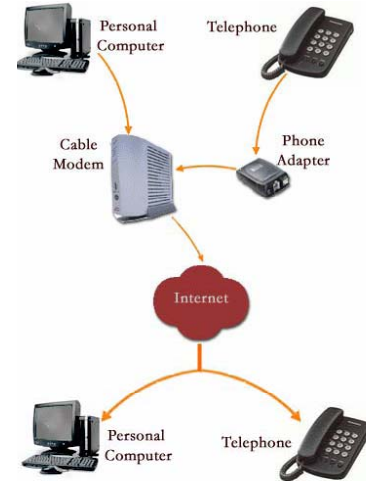
Some services only work with your computer or a special VoIP phone, while other services allow you to use a traditional phone through an adaptor.

VoIP plans can be attractive because they offer local, long-distance, and international calling plus extra features for a much lower price than traditional calling plans. That's because VoIP providers, at least for now, are charging their customers few or no taxes and surcharges. The technology is so new that state and federal officials have yet to decide if and how it should be regulated and taxed.

### How does VoIP work?

VoIP converts the voice signal from your telephone into a digital signal that travels over the Internet using a piece of equipment called an adaptor or VoIP gateway. If you are calling a regular phone number, the signal is then converted back at the other end. Even though VoIP relies on the Internet, you can use the telephone at the same time you or another

family member is surfing the Internet.



### What equipment is required?

Most importantly, you must have a broadband Internet connection (not dial-up Internet service), which means an extra \$30 to \$60 per month for cable modem service or Digital Subscriber Line (DSL) service, if you don't already subscribe to broadband service. If you don't want or need a high-speed Internet connection, it probably won't make sense to get it just to subscribe to VoIP service.

Depending on your service provider, you may be able to use a regular telephone connected to an adaptor, your computer, or a VoIP phone that doesn't require an additional adaptor.

If you are calling a regular telephone number, the person you are calling does not need any special equipment, just a phone. You may have to pay an extra one-time fee for the adaptor, and if you want all the phones in your home connected

(See *VoIP*, Page 6)

## VoIP

(Continued from Page 5)

to the VoIP service, you'll have to take some extra steps in the installation process to make sure they're all working off the adapter.

### *How's the sound quality?*

Occasionally, the sound quality is not as good as traditional, wired phone service. However, some believe this will change as the technology improves. While VoIP users report that the sound is adequate most of the time, it may falter if another household member is on the Internet while you're using the phone.

### *Can you dial 911 from VoIP?*

Some VoIP providers don't provide any 911 service. Most VoIP companies that offer 911 service don't provide traditional 911 service, because they may only route your emergency call to the general number of a "Public Safety Answering Point," where emergency services are dispatched – but not to the operators who actually answer 911 calls 24 hours a day. That means the call could go to a line that isn't answered outside business hours.

In addition, you will probably have to give your location and telephone number in order for the proper authorities to find you, because your call will not be traceable like it is with traditional 911 service. Ask the company you're considering if it offers 911 service, and how it

differs from traditional 911 service.

### *Is VoIP right for me?*

Like anything else in the phone market, it depends on what your telecommunications needs are. Because VoIP relies on broadband Internet, it's not ideal for many consumers who don't already need high-speed Internet service. However, it could be a good deal for broadband Internet subscribers who also want a lot of extra bells and whistles with their phone service and/or make a lot of long distance calls.

If you are interested in VoIP service and have broadband Internet, compare what you're paying now each month for phone service. Call the company you're considering to verify all the rates and extra charges. As with any other calling plan, always quiz the company about its exact rates and any extra costs, such as an "activation fee." Some VoIP providers even charge for incoming calls, as well as for the outgoing calls you make, just like cell phone companies. Weigh the advantages and disadvantages listed below to determine whether VoIP is right for you, or whether traditional or wireless phone service continue to be your best option.

### *Advantages of VoIP*

- Low, flat monthly rate (if you already have broadband) which often include unlimited long distance. This can provide substantial savings for heavy phone users.

- Because VoIP is digital, the flat monthly fee often includes features and services such as voice mail, call waiting, caller ID, and e-mail voice message retrieval.

- Additional features not provided by traditional phone companies may also be available, such as forwarding faxes and phone messages sent to your home number to your work email address.

- Portability allows consumers to take the same phone number from their home office to the main office or vacation rental—anywhere with a broadband connection.

- Consumers with a broadband Internet connection avoid the need and additional cost of a line just to make telephone calls.

### *Disadvantages of VoIP*

- Sound quality may not be on par with traditional phone service at times.

- 911 service may not be available or traditional 911 service isn't provided.

- May not work during power outages, broadband interruptions or with home alarm systems or fax machines.

- Requires broadband connection, an added cost for those who don't already have it.

- Relatively new technology with accompanying quality of service and performance risks, support resources, and user training requirements.

- Cost of required VoIP hardware, software and phone requirements.

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# KANSAS LIFELINE PROGRAM

Save up to  
**\$17.50 off** your  
telephone bill!

You may be eligible to receive up to **\$17.50** off your monthly local telephone bill through the Lifeline Program. If you don't currently have telephone service, you may also be eligible for a discount on your connection charge through Link Up America.

***You are eligible if you receive any of the following:***

Food Stamps, General Assistance, Supplemental Security Income (SSI), Temporary Assistance to Families, Medicaid, United Tribes Food Distribution Program, BIA General Assistance, Tribally administered Temporary Assistance for Needy Families, Head Start (only those meeting its income qualifying standard), Free School Lunch Program, 150% of the federal poverty level.

For more information about Kansas Lifeline or Link Up America, call your **local** telephone company. The number is on your telephone bill or in the front part of the telephone directory.



## Low Income Energy Assistance Program (LIEAP)

The Low Income Energy Assistance Program (LIEAP) is a federally-funded program that helps eligible households pay a portion of their home energy costs. Here's how the Kansas LIEAP program works:

The application period is from January 18 through March 31. **Applicants must NOT apply before January 18 or SRS will automatically deny the application.** One MUST apply during the application period only.

Households determined to be eligible receive a **one-time payment** towards their primary heating bill. The amount of the one-time payment depends on several factors, including the number of households that apply. Last year's average benefit was \$230.

Unfortunately, average payment amount this year will likely be lower if, as SRS expects, the number of applicants increases.

The following summary describes basic LIEAP eligibility provisions. Additional information may be obtained by contacting your local Social and Rehabilitation Services (SRS) Office during the three-month application period.

### Persons Eligible

In order to qualify, applicants must meet the following requirements:

1) An adult living at the address must be personally responsible for purchasing

heating costs incurred at the current residence, payable either to the landlord or to the fuel vendor.

2) Applicants must demonstrate a recent history of payments toward purchase of the primary heating energy.

3) The combined gross income (before deductions) of all persons living at the address may not exceed 130% of the federal poverty level according to the guidelines listed below:

Persons Living at the Address	Maximum Allowable Monthly Income
1	\$1,009
2	\$1,354
3	\$1,698
4	\$2,043
5	\$2,387
6	\$2,732
7	\$3,076
+	add \$345 for each additional person

### Benefits

Benefit levels vary according to the following factors: 1) Household income, 2) number of persons living at the address, 3) type of dwelling, 4) type of heating fuel, and 5) utility rates.

For more information or to request an application, please call 1-800-432-0043.

Applicants may also download an application online at <http://www.srskansas.org>.

## Weatherization Assistance Program

### What the program does:

The Weatherization Assistance Program, funded through the U.S. Department of Energy and the Low-Income Energy Assistance Program, provides housing improvements that increase energy efficiency in income-eligible, single- or multi-family dwellings, including manufactured homes.

### Who it helps:

Households with income up to 150% of the federal poverty level or 60% of the state median income, whichever is higher. If anyone in the household has received TANF or SSI in the last twelve months, the household automatically qualifies. The target groups for this program are households including persons who are elderly, persons with disabilities and families with children.

### How it works:

Public or private not-for profit agencies apply for the grants and provide the services. Due to the high technical investment and expertise required to operate the grants, grantees are generally continued from year to year.

The program weatherized 1,400 homes in 2003. Among them, there were 469 elderly households and 423 persons with disabilities. Importantly, 365 dangerous furnaces were replaced by the program.

Unfortunately, most of the agencies around the state offering weatherization services



through this program have a long waiting list. In some areas, eligible applicants must wait as long as a year or more.

However, it's worth the wait for those who are patient: according to Norma Phillips, who spoke recently at the Kansas Renewable Energy and Efficiency Conference, the average household after weatherization through this program saves about 20% on their heating and cooling bills.

Further information on this program can be obtained by contacting Larry W. Bentley, Weatherization Program Manager, 611 S. Kansas Avenue, Suite 300, Topeka, Kansas 66603-3803. His phone number is (785) 296-4990.

His email address is: [lbentley@kshousingcorp.org](mailto:lbentley@kshousingcorp.org).

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## Utility Assistance Resources

It looks like heating bills are going to be outrageously high this winter, especially if we get severely cold weather. If you or someone you know is in need of assistance with heating bills, there are many resources around the state that may be able to help you locate funds.

Please be aware that this list is not exhaustive; we don't have space to list all the programs around the state that help utility customers keep the heat on.

And don't forget the new Salvation Army program, Gift of Warmth. Information on that program is discussed in a separate article on page 3.

### **Topeka area United Way of Topeka 785-273-4804**

Topekans can call the United Way for information on which agencies in the area currently have funds available for utility assistance.

### **Manhattan area Flint Hills Breadbasket 785-537-0730**

### **Wichita area United Way of the Plains 316-267-1321**

Wichitans can call the United Way for information on which agencies in the area currently have funds available for utility assistance.

### **Westar Energy's Territory Project Deserve**

This program is funded by donations from Westar Energy and Westar's customers and employees, and administered by the American Red Cross and other social service agencies around the state. Eligible are those with severe disabilities and seniors 60 years of age and older, who have no other resource for emergency utility assistance. Program is generally limited to Westar's electric service territory, but the assistance may be applied to heating bills of any sort and emergency repairs of heating or cooling equipment.

Contact the program by calling the American Red Cross office in your area, or by calling the customer service number on the top of your Westar Energy electric bill.

### **Aquila's service territory HeatShare**

Call your local Salvation Army office; if none, call toll-free 1-877-566-2769.

Applicants do not have to be customers of Aquila, but must reside in one of the following counties: Finney, Ford, Sedgwick, Reno, Cowley, Barber, Barton, Clark, Cloud, Comanche, Edwards, Ellsworth, Gray, Harper, Harvey, Haskell, Hodgeman, Jackson, Jewell, Johnson, Kingman, Kiowa, Lincoln, Meade, Mitchell, Morton, Ness, Osborne, Pawnee, Phillips, Pottawatomie, Pratt, Republic, Rice Rooks, Rush, Seward, Sherman, Smith, Stevens, Sumner, Washington.

### **KCPL's service territory Dollar-Aide Mid-America Assistance Coalition (816) 471-5275**

Available for any fuel source: natural gas, water, fuel oil, propane, wood, coal or electricity. KCP&L matches every dollar donated with a 50 cent energy credit. Funds are administered by the Mid-America Assistance Coalition, which verifies eligibility and approves payments.

### **Butler County Rural Electric Cooperative's service territory Operation Roundup**

Call your local Salvation Army office; if none, call toll-free 1-877-566-2769.

Applicants must reside in one of these counties: Butler, Chase, Cowley, Greenwood, Harvey, Sedgwick, Sumner.

**Altamont****City of Altamont Municipal Utility**

Call toll-free 1-877-566-2769

**Churches and Temples**

Many congregations offer assistance to families in need, but few publicize this fact. The only way to find out if your church is willing to help is to ask.

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**Emergency Repair Program**
**What the program does:**

The Emergency Repair Program (ERP) assists homeowners with emergency repairs of existing owner-occupied properties to enable residents to maintain a safe environment in their home. Examples of "emergency" repairs are an inoperable or faulty furnace, leaking roof, unsafe electrical wiring and plumbing, hazardous structural conditions. Other types of repairs may qualify as well

**Who the program helps:**

Eligible applicants are low-income homeowners whose income does not exceed 60% of the area median income of the county in which the home is located. Income guidelines are established annually by the U.S. Department of Housing and Urban Development.

**How it works:**

The KHRC forms partnerships with non-profit organizations that assist the homeowner in completing an application for the emergency repairs.

Weatherization agencies and community housing development organizations are typical partners.

The funds are initially in the form of a loan for the amount of funding for the approved repairs.

Qualified applicants may be eligible for a maximum of \$5,000 for the repairs. If the homeowner occupies the home as their primary residence for a period of three years from date of funding, no repayment of the loan is required.

Funding is available on July 1st, and is awarded on a first-come, first served basis, dependent upon availability of funds. Total funding for fiscal year 2003 was \$250,000.

The program received 83 applications and 70 were funded.

For more information, contact Jennifer Grogan, KAMP/ERP Program Manager, 611 S. Kansas Avenue, Suite 300, Topeka, Kansas 66603-3803. Her phone number is (785) 296-4814, and her email is [jgrogan@kshousingcorp.org](mailto:jgrogan@kshousingcorp.org).

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 or **785-271-3200**

to switch to fast, easy e-mail delivery.

**THANKS!**
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**MEMBERS****GENE MERRY – CHAIR****A.W. "BILL" DIRKS – VICE CHAIR****FRANCIS X. THORNE – MEMBER****NANCY WILKENS – MEMBER****CAROL FAUCHER – MEMBER**


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## **Cold Weather Rule Now in Effect through March 31**

The Kansas Corporation Commission developed the Cold Weather Rule to protect families from disconnection of their primary heating source during freezing weather because of inability to pay their utility bills in full.

**If you can't pay your entire bill, call your utility company to make pay arrangements:**

**Agree to pay** 1/12 of the overdue amount of your bill, **plus** 1/12 of your current bill, all disconnection and connection fees, and agree to pay the remainder in equal payments over the next 11 months; **or**

**Negotiate a payment plan** to pay the overdue amount off quicker than 12 months.

Remember, you must also **pay your full bills for new service** you use while paying off the overdue amount.

**Apply** for federal, state, local or special funds for which you are eligible.

**If you are behind** in a previous payment plan and cannot catch up, you need to make a new payment agreement with the utility.

**If you have illegally used service**, you must pay for the

value of the illegally used service.

***What will the utility company do?***

**Utilities must inform you** of the Cold Weather Rule payment plan as well as other payment plans available to you. Remember, under the Cold Weather Rule payment plans, you always have the option of spreading your payment over a total of 12 months.

**Utilities must send written notice** to customers 10 days before disconnection, plus make a phone call or personal contact the day before.

**Utilities must tell customers** about agencies that have funds to help pay utility bills.

***Can you be disconnected during the Cold Weather Rule?***

**Under certain circumstances, yes.** The Cold Weather Rule is primarily designed to prevent disconnections during freezing weather. Many people who think they are immune from disconnection during the Cold Weather Rule period get an unpleasant surprise when they are disconnected during a warm spell. Here's the rules:

**A utility can't disconnect you when** the temperature is forecasted to drop below 35 degrees or be in the mid to low 30s in the next 24 hours.

**To keep from getting disconnected when** it is 35 degrees or above, or to get reconnected regardless of temperature, you must make pay arrangements with your utility.

**A utility may start final notification and disconnection** process if there is a 48-hour forecast of temperatures above 35 degrees. On the day before disconnection, a **utility must attempt to contact you** by phone. If that fails, they must go to the home and notify you or leave a message on the door. Some utilities have a third party notification plan.

**If the 48 hour forecast changes** before the period ends and there is a forecast of below 35 degrees, the utility cannot disconnect until there is another Cold Weather Rule 48 hour forecast of temperatures above 35 degrees.

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## **CURBSTUFF FOR KIDS is Coming!**

CURB is developing a *CURBstuff for Kids* area on its website, which will contain links to fun, entertaining, and educational websites for kids interested in learning about telecommunications, energy, and other related issues.

Many of these web sites also include helpful information for parents and teachers.

Most of the websites will have games and puzzles that kids will enjoy while they learn.

## Consumer Counsel's Corner

Dave's been so busy lately, I offered to sit in for him to write this month's Consumer Counsel's Corner.

Winter winds will be here soon. Dave's been working hard to get out the word to consumers that natural gas prices are going to be extremely high this winter. This is the year to do all you can to conserve natural gas. Recent futures markets indicate that wholesale gas prices may exceed \$10 per mcf in January.

This issue of CURBside offers a lot of useful information about utility assistance programs and the Cold Weather Rule. We hope that you all pass the information along to those who may need help with their utility bills this winter.

Dave's also been getting ready for the NASUCA meeting in Nashville during the third week of November. Dave, CURB Chair Gene Merry, and Vice-Chair Bill Dirks will be representing the agency at the meeting, which draws together utility consumer advocates from all over the nation.

We're also doing our part to keep current on the latest developments in energy technology. Dave and I attended the Kansas Renewable Energy and Energy Efficiency Conference in Topeka on October 26 and 27. Our Chair and Vice-Chair joined CURB Board member Nancy Wilkens in attending, as well. Dave and I also participated in a two-hour discussion with representatives from Efficiency Vermont, that state's innovative energy efficiency program.

And, of course, Dave stays busy fulfilling his role as a member of the Kansas Energy Council, which is charged with developing a comprehensive energy plan for the State of Kansas.

In other news, Steve Rarrick returned to Albuquerque this year to spend a week learning about electric utility regulation. He'll be working on the Aquila natural gas rate case, as well.

Finally, we're all delighted to have Beth Runnebaum back in the office after an extended absence. We missed her very much.

*--Niki Christopher*

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*Don't forget to visit CURB's new website: <http://curb.kcc.state.ks.us/>*

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### **CURBSIDE**

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