Clean Power Plan Formally Withdrawn, States Urged to Halt Work

IN YESTERDAY'S FEDERAL REGISTER (FR), EPA ANNOUNCED the formal withdrawal of the proposed Clean Power Plan (CPP) rule. EPA explained that it is withdrawing the proposed rules 1) in light of President Trump’s executive order to reevaluate the CPP, 2) because the Clean Air Act does not require the agency to finalize the rules, and 3) because the Supreme Court stay removes any time pressure to meet approaching compliance deadlines. According to the notice, the withdrawals give EPA “time to re-evaluate these CPP-related proposals and, if appropriate, put out re-proposals or new proposals to ensure that the public is commenting on EPA’s most up-to-date thinking on these issues.” A link to the federal register notice is available on the KMU website at www.kmunet.org.

see CPP WITHDRAWN page 2

KCBPU Wind Farm Operational

THE 400 MEGAWATT (MW) CIMARRON BEND WIND FARM that will provide half of its power to Kansas City BPU is now online. Enel Green Power North America owns and developed the wind farm which will provide half its power to BPU and half to Google. The farm in Clark County, Kansas is largest wind farm in Enel’s global portfolio.

see WIND FARM page 2
In related news, EPA Administrator Scott Pruitt sent a letter to Kentucky Governor Kevin Bevin reminding him and other governors that the Clean Power Plan has been stayed by the U.S. Supreme Court and that states and other interested parties are no longer under any obligation to work toward meeting its compliance dates so long as the stay remains in effect. The Administrator also advised the governor that if any of the rule’s deadlines become relevant in the future, “case law and past practice of the EPA support the application of day-to-day tolling,” suggesting it is the Administration’s view that if the stay is ever lifted, the rule’s compliance deadlines should be extended by the same number of days that the stay was in effect. “The days of coercive federalism are over,” Pruitt declared. “Accordingly, I look forward to working with you, your state experts and local communities as we develop a path forward to improve our environment and bolster the economy in a manner that is respectful of and consistent with the rule of law.”

*(information from APPA Public Power Daily, April 4, 2017)*

The wind facility cost approximately $610 million and can generate around 1.8 TWh annually, providing enough energy to meet the annual consumption needs of more than 149,000 U.S. households. In addition, the wind energy will help avoid emissions of an estimated 1.3 million tons of CO2 each year.

The power and renewable energy credits from Cimarron Bend are being sold under two bundled, long-term power purchase agreements (PPAs). The first PPA, with Google, began at the end of 2016 with the entry into service of the first 200 MW of the facility. The second PPA is with the Kansas City Board of Public Utilities (BPU) and for the 200 MW that have just begun operating.

Enel owns four additional wind farms in Kansas – Caney River (200 MW), Smoky Hills I and II (250 MW combined) and Buffalo Dunes (250 MW). These four wind facilities total 1.1 GW of operating capacity and represent more than $1.7 billion in investment made in Kansas.

LAST MONDAY, Congressman David Rouzer (R-NC) introduced a bill to recognize the contributions of linemen to fundamental public safety and to designate April 18, 2017, as National Lineman Appreciation Day. Among other things, this resolution notes that the profession is “steeped in personal, family, and professional tradition.” The resolution also recognizes that linemen make extraordinary personal sacrifices to fulfill their duties, and that linemen “play a vital role in the Nation’s economy by maintaining and growing the energy infrastructure of the United States.”
The Kansas Department of Health and Environment (KDHE) is requesting project submittals for public water supply system infrastructure improvements to be considered for low interest loan financing through the Kansas Public Water Supply Loan Fund (KPWSLF). KDHE expects to have over $40 million available to commit to new projects after June 30, 2017.

All proposed projects should be submitted using the KPWSLF project submission form found at www.kdheks.gov/pws/documents/Loan_Project_Submittal.pdf. More than one project can be submitted for funding consideration.

For a project to be eligible for consideration, the public water supply system must have a water conservation plan that is approved by the Kansas Department of Agriculture. Individual projects will be ranked according to a priority ranking system and the highest ranking projects ready to proceed will be included on the Project Priority List of the 2018 Intended Use Plan. Project submittal forms must be submitted to KDHE by June 1, 2017 to be considered for funding after July 1, 2017.

Projects that will return a non-compliant water system to compliance in regards to MCL requirements (excluding TOC removal), projects that remove lead pipe, or projects that will consolidate water systems will be eligible to receive loans that provide up to 30% principal forgiveness.

Projects needed solely for future projected growth or fire flow are not eligible for the Kansas Public Water Supply Loan Fund.

To learn more about the program see the KDHE website at: www.kdheks.gov/pws/loansgrants/loansgrants.html

For more information or questions contact William J. Carr with the Public Water Supply Section of KDHE: (785) 296-0735

Wichita State University Environmental Finance Center (WSU EFC) and Kansas Municipal Utilities (KMU) partnered with City of Ottawa to present the “Work In Water Experience” to 12 Ottawa High School students last Friday, March 31.

The experience provided students with an interactive series of learning modules that teach the journey of a water molecule, from precipitation and percolation to treatment and delivery, and, eventually, back to evaporation. The two-hour course includes creative visual cues, like using a drinking straw to “pump” orange soda from a cup of crushed ice, an imaginative way to demonstrate pumping groundwater.

The “Work In Water Experience” learning module was created by WSU EFC, as part of the Careers in Water Stewardship project, a program developed to educate students on the importance of water treatment for the environment and public health, and to stimulate interest in occupations in environmental water management.

The experience also includes a live tour of a municipal water treatment plant and water reclamation facility. Ottawa High School students will tour Ottawa’s water treatment plant and reclamation facility this Friday.

Students who attend both the learning module and the tour are eligible to apply for a full-time, paid, summer internship at their local water and wastewater facility. The internship is funded by the Careers in Water Stewardship project, an EPA Environmental Education Grant.

The “Work In Water Experience” will also be presented this spring at Wichita High Schools, Garden City High School and St. Mary’s Colgan High School in Pittsburg, Kansas.
APPA Mutual Aid Working Group Meets in Washington DC

LAST WEEK, MUTUAL AID REPRESENTATIVES FROM PUBLIC POWER MET with representatives of American Public Power Associations (APPA) as part of the Mutual Aid Working Group (MAWG) to continue to improve mutual aid coordination efforts across the country. APPA’s Mutual Aid Working Group is comprised of representatives from public power utilities, state associations, and joint action agencies. The working group’s goal is to advance public power’s mutual aid and disaster management best practices for large-scale events. Brad Mears, Assistant Executive Director for Kansas Municipal Utilities attended the meeting in Washington, DC on behalf of Kansas and FEMA Region VII.

During the course of the meeting, the working group provided updates on mutual aid activity in their various regions, reviewed the APPA Mutual Aid Playbook for modifications and updates, discussed the FEMA proposal for implementing state deductibles for public assistance funding, and began planning a national tabletop exercise. The group also met with representatives of the U.S. Department of Energy at the agency for a briefing and discussion with staff of the Infrastructure Security and Energy Restoration Division to discuss emergency response and coordination with the department.

FCC Issues Notices of Future Action on Pole Attachments

ON THURSDAY, MARCH 30, THE FEDERAL COMMUNICATIONS COMMISSION (FCC) ISSUED two separate notices of future action relevant to public power involving broadband deployment and wireless infrastructure that could impact pole attachments. The FCC issued “Fact Sheet” notices provides information on proposed rules that identify a number of specific areas where the FCC could use its preemption authority to prevent the enforcement of state and local laws that inhibit broadband deployment including pole attachment policies and rates. The goal of these actions is to promote rapid deployment of broadband services.

Public power utilities are exempt from FCC pole attachment regulations under Section 224 pursuant to a legislative exemption passed by Congress in 1978 and reaffirmed by Congress in 1996. However, FCC action may indirectly affect pole attachment rates for utilities in states that follow FCC rules and rate formulas or those public power communities that closely follow FCC rates and rules. If the FCC determines that utilities can be regulated under Section 332 of the Telecommunications Act as asserted in the rule making notice, public power utilities will be required to comply with these regulations.

The first FCC fact sheet, entitled “Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment.” The proposed rules would reduce pole attachment recovery costs available for utility-owned poles and would reduce the ability for utilities to safely and reliably maintain poles under Section 224 of the Telecommunications Act. Through this action the FCC will request comments on these proposals to balance the FCC proposals with the safety and property concerns of pole owners and existing attachers.

For more information on public power initiatives for Mutual Aid, the Mutual Aid Playbook, and Public Power Ready material, visit www.publicpower.org and click on Programs for the Mutual Aid tab.
The second fact sheet, entitled “Wireless Infrastructure NPRM,” seeks to “identify regulatory impediments to wireless network infrastructure investment and deployment,” and find solutions to “remove or reduce such impediments consistent with the law and the public interest.” Among other things, the proposed rulemaking asserts that the FCC has authority to regulate utility poles under Section 332 of the Telecommunications Act. The FCC also requests comments on determining a “reasonable time period” for reviewing applications and whether there are states and local agencies that have imposed unfair “moratoria” on processing siting applications.

The FCC has indicated that it tentatively plans to issue documents outlined in the fact sheets at the next FCC open meeting on April 20, 2017. The American Public Power Association (APPA) and Kansas Municipal Utilities staff will continue to monitor FCC actions in this area.

The Watt-Hour Metering Workshop

Early Registration Ends Soon

The complete Watt-Hour Metering Workshop begins in three weeks, with early registration for this new event only available through April 10, 2017. The agenda for the workshop is available on the KMU website: www.kmunet.org. The workshop is scheduled for April 25-28, 2017, and will be held at the KMU Training Center in McPherson, KS. This training will be conducted in both the classroom and lab with hands-on learning. A variety of metering options will be represented.

The watt-hour meter is often called “the cash register of the electric utility.” Is your “cash register” losing revenue for your utility? Mistakes, tampering, and improper operation can turn your watt-hour meters into a large source of revenue loss. Participants will gain valuable information on how to keep their utilities’ meters humming by attending this training event. This workshop is being offered to better meet members’ needs for technical training for electric utility personnel.

With the variety of metering equipment in the field, and to ensure an optimal educational experience for participants, we offer the choice of Basic or Intermediate/Advanced classes. For maximum benefit, consider registering for both the of the meter workshop classes. Participants will learn how to keep their utilities’ meters “in the black” with this workshop. A solid review of the basics, combined with in-depth study of installation, troubleshooting, and tampering of meters will be covered.

Workshop agenda and registration can be accessed and completed through the KMU website: www.kmunet.org. Due to the technical, hands-on nature of this event, registration slots are limited. Plan to register early. This is a technical training opportunity electric utility personnel will not want to miss! If you have any questions and or comments, please don’t hesitate to contact Rick Aguilar: raguilar@kmunet.org, or (620) 241-1423.