

## **Kansas Energy Council December 10, 2008, Meeting Notes**

### **KEC members attending:**

Ken Frahm, Co-Chair  
*Lt. Gov. Mark Parkinson, Co-Chair [by phone]*  
Dave Dayvault  
Sarah Dean  
Joe Dick  
Stephen Dillard  
Bill Harrison  
*Dave Holthaus (for Stuart Lowry)*  
Steve Johnson  
Jeff Kennedy  
Greg Krissek

Janis Lee  
Galen Menard  
*Jesse Romo (for Deb Miller)*  
Hans Nettelblad  
Adrian Polansky  
Mark Schreiber  
Bruce Snead  
Dave Springe  
Michael Volker  
Steve Weatherford  
Curt Wright

**KEC Staff:** Liz Brosius, Ray Hammarlund, Michael Deupree, Corey Mohn, Jennifer Knorr

### **Opening remarks, introductions**

Co-Chair Ken Frahm called the meeting to order. Frahm noted that Co-Chair Mark Parkinson was participating via speakerphone due to illness. Parkinson thanked everyone for coming.

### **Updates related to KEC recommendations**

*KCC energy efficiency dockets (441, 442).*—Frahm introduced Janet Buchanan, KCC Utilities, to summarize the current status of the Commission's general investigations into issues related to utility-sponsored energy efficiency programs. Buchanan handed out a written summary of her comments (available on the KEC web site, under the December 10, 2008, meeting heading: <http://www.kec.kansas.gov/meetings.htm>). She noted that KCC staff will be discussing benefit-cost tests and protocols for energy efficiency program evaluation, measurement, and verification during collaborative meetings scheduled for Dec. 11-12. If time permits, staff will also discuss possible changes to monthly bills to provide residential customers with more transparent information about their energy decisions (e.g., more accurate price signals). Buchanan also said that dynamic pricing (i.e., real time or time-of-use pricing) and advanced metering is also being considered.

*Energy conservation education, funding KACEE.*—Frahm introduced Ray Hammarlund, Director of the KCC Energy Programs Division, who then introduced KCC Executive Director Susan Duffy to provide the update on the KEC's recommendation to provide \$30,000 in annual funding to enable KACEE to add energy conservation education to its current curricula. Duffy said that the KCC Energy Programs Division would provide the funding and the energy conservation education would be folded into the existing Green Schools program, which KACEE is operating with funding from KDHE. Duffy noted that it was important that state agencies improve collaboration, so that school districts receive clear information about the programs available and avoid duplication. The goal is to use the school's interest in the Green Schools program to disseminate information about FCIP, KEEP loan program, and other energy efficiency initiatives. Brosius noted that Shari Wilson from KACEE had provided a brief summary on this topic, which was included in the notebook materials. In response to a question, it was noted that more information about the Green Schools programs was

available through KDHE, KACEE, and on the Green Schools web site:  
<http://www.kansasgreenschools.org/>.

Duffy said she thought the KCC needed to do a better job of promoting successes by sending news releases to local papers on the completion of energy efficiency improvements through the FCIP program. Brosius said this was consistent with a suggestion from Carl Holmes that the Energy Programs Division prepare copy promoting the KEEP loan and other programs and offer to legislators for possible inclusion in their weekly constituent newsletters. Janis Lee agreed, noting that legislators like to have good news to send out, especially with this year's budget situation.

*Model energy efficiency codes for voluntary adoption*—Hammarlund and Brosius reported that they'd had another meeting with the advisory group (Chris Wilson, Martha Smith, Bruce Snead, Sandy Jacquot, Luke Bell) and Hammarlund will follow up with the Heart of America Chapter of the International Codes Council to get a better idea of whether there's a gap in the marketplace (that is, a need for promulgation of a model code). Bruce Snead pointed out that the Kansas League of Municipalities was willing to help disseminate information, such as a fact sheet, through their online newsletter and that another avenue was to get information to building code people at their next meeting.

#### **Updates on other energy policy initiatives: MGA, KEEP**

Hammarlund reported that he had just returned from a meeting of the MGA and that there would be another meeting in early January. Many attending the recent meeting believe a federal cap-and-trade may be enacted and that low-carbon fuel standards, such as that implemented in California, will probably be implemented. MGA would like to see any cap-and-trade program informed by a Midwestern perspective. Snead asked about the MGA working groups, and Hammarlund said that these had been established for each of the topics covered by the Platform. Galen Menard asked about the California low-carbon fuel standard, saying he thought that they only had been discussing this. Hammarlund said that the Governor had established through executive order.

Jennifer Knorr, Governor's office, reported on the Dec. 9<sup>th</sup> meeting of the KEEP advisory group. She said that they'd narrowed down the original catalog of recommendations to 47 state-level policy options.

Steve Johnson asked how KEEP's goals differ from KEC's? Knorr said KEEP was more focused on climate change policy; Parkinson pointed out that KEEP was a relatively short-term effort and would end when it delivers its final report in January 2010.

#### **Staff summary of remaining work**

Brosius passed out two handouts, one summarizing the work plan, the other an outline of the topics included in the Kansas Energy Report. She pointed out the Council's tasks for today's meeting in the context of the annual planning process: approving final recommendations for *Kansas Energy Report 2009* and selecting priorities to be developed during the coming year. Brosius said staff would complete work on existing plan drafts and get final versions to Council no later than Dec. 23 and asked that the Council get any final corrections to staff no later than Jan. 2, 2009.

Jeff Kennedy noted that asking for final comments by Jan. 2 seemed unrealistic given the holidays. Brosius conceded that it was not ideal, and said she would try to get materials to the Council prior to Dec. 23, if possible.

Brosius said staff would also be working to update charts and graphs for the Kansas Energy Chart Book, and would complete all work by end of January 2009.

**Council review and action on plan drafts (background information and recommendations) for possible inclusion in *Kansas Energy Report 2009***

***Greenhouse Gas Emissions and Global Climate Change***

Frahm opened discussion of the background information and recommendations in Section 2.3: Greenhouse Gas Emissions and Global Climate Change. Brosius mentioned that there had been a few revisions since the last meeting and that the KEC staff team had reviewed the draft and offered feedback. One suggestion that had not yet been incorporated was a mention of complementary state-level policies; Brosius suggested that she could develop some copy based on the white paper prepared by the Congressional Budget Office (CBO) and summarized in the annotated resource list prepared for the Greenhouse Gas Policy Committee. Lee pointed out that Chapter 6 of the KCC wind study stated that states should not do greenhouse gas policy alone. Brosius replied that, whereas regulation of carbon dioxide and other greenhouse gases should not be done at the state level, there are state-level policies that may complement a federal cap-and-trade or tax; examples include building codes, gasoline tax.

Sarah Dean voiced concerns about the final sentence in the first paragraph under “Scope” on page 2, which reads “Moreover, unlike other pollutants, local greenhouse gas emissions do not cause local environmental or health problems.” She suggested the sentence be removed because (1) it was based on 2003 CBO report and (2) that it was untrue. She said there is difference of opinion on this subject and that she had sent a news story just yesterday to staff and Co-Chairs regarding this subject. Frahm said perhaps the sentence was an overstatement and asked Dean if she wanted to move that it be removed. Dean did so, and Snead seconded the motion. Frahm called for discussion. Greg Krissek asked if the sentence was a direct quote and if it could be modified. Brosius said it was a paraphrase and she welcomed suggestions for clarifying the language. [Staff note: The footnote improperly referenced a 2003 document; it has been corrected to reference the 2008 CBO white paper on appropriate roles for different levels of government.]

Brosius said the intent is to distinguish greenhouse gas emissions from other pollutants, such as mercury, particulates, SO<sub>2</sub>, NO<sub>x</sub>, within the larger discussion of the proper scope for effective climate change policy—the national and international level. She asked whether listing examples would help clarify? Bill Harrison suggested revising, using the language that Brosius just articulated. Dean argued that there had been several studies showing the local effects of greenhouse gas emissions.

Frahm suggested they vote on the motion before considering revisions. Parkinson (via speakerphone) asked for clarification of the sentence in question. Frahm read the question. Volker suggested adding the word “directly” after “not.” Dean said she thought there had been new findings since 2003 and that the easiest thing is to remove the statement. Lee called the question, and the Council voted on the motion; following initial count, Steve Weatherford asked whether the Lt. Governor had voted and the votes were recounted: 10 in favor to 10 opposed; motion fails, according to Roberts Rules. Harrison reiterated his suggestion that language be modified. Suggestion accepted by general acclamation.

Frahm opened discussion on Recommendation 1. Dave Springe moved to delete sentence from Description, beginning “President-Elect Obama...”; Kennedy seconded. Motion passes. Schreiber pointed out typo (Dingell, not Dingle).

Brosius asked Lee if she could advise with respect to appropriateness of calling for a resolution, something Senator Emler had mentioned at the last meeting. Lee said she believed any discussion of this topic will engender a huge amount of debate (cap and trade) and it would be unlikely that the Legislature would issue a resolution, but she said the Council could go ahead and suggest it. Brosius said she word it something to the effect of: “Legislators should consider adoption of a resolution...”

Brosius asked if the members had suggestions related to the pros and cons listed. Dean suggested adding something under cons about discouraging state or regional policies. Brosius said complementary policies would not be discouraged by this recommendation, though it does discourage state or regional cap-and-trade. Dean said until we have a federal policy, there are many states adopting policies, so I think a con should be “discourages policies at the local, state and regional level” I would say the regional level should be eliminated because of MGA. Snead pointed out that Dean’s concern could be addressed by adding the two cons on page 14. Dean agreed and move that this be done; Snead seconded; Lee suggested replacing “leadership” with “initiative”; motion passed.

Frahm called for a vote to approve Recommendation 1; approved by vote of 19 to 1.

Frahm opened discussion of Recommendation 2. There were no comments, questions, or suggestions related to the Description. Brosius suggested the legislative action be modified to match language in Recommendation 1. Lee again noted that it may not happen; she said she wasn’t saying she didn’t agree but political feasibility isn’t there.

After determining there were no further comments, Frahm called for a vote. The recommendation was approved by vote of 19 to 1.

*[Break - Following the break, Frahm recognized KCC Executive Director Susan Duffy, who reminded everyone of the informational meeting on CO2 sequestration sponsored by the Kansas Geological Survey, the KCC, and Westar Energy, which will be held on December 16, 8:30 to noon, at the Kansas Association of School Board, Topeka. Starting at 1:00 at the same location, the KCC will host another roundtable discussion on nuclear energy. Duffy also described KCC activities related to the upcoming digital TV conversion, and noted that a solar roundtable was planned in the first part of 2009.]*

Frahm opened discussion on Recommendation 3, which calls for Congress to include agricultural offsets in federal cap-and-trade policy. He noted that the language regarding legislative action would be revised consistent with previous recommendations. Adrian Polansky moved to approve the recommendation; Krissek seconded; recommendation approved by a vote of 18 to 2.

### ***Electricity***

Brosius reported that she had asked Dr. Ward Jewell, WSU Professor of Electrical Engineering and Computer Science, to review the Overview for Chapter 8, Electricity and had revised according to his suggestions. She noted that the description of the state’s utilities (Section 8.1, Topic/Issue

Description) was taken from the 2005 KEC report and needed to be updated; she also pointed out the discussion of primary and ancillary services and asked the utility representatives to double check and send her any changes.

Lee noted that KPP needed to be included in the description of the utilities, and Brosius said it would be. She said they would also add a couple of paragraphs about FERC, and Mark Schreiber suggested it might be good to include SPP as well. Johnson suggested referencing the language about the KCC in Chapter 66 of the Kansas Statutes.

Brosius said the content for Existing Policies and Programs for Section 8.2 (and Section 8.4) still needed to be developed and asked for suggestions from Council members, particularly utility representatives. In Section 8.2, Schreiber suggested amending the language regarding ways to increase capacity to include increasing operating efficiency as an option; he said he would send Brosius some language to that effect.

#### Section 8.4 Policy and Program Recommendations

Frahm opened discussion on Recommendation 1: Encourage federal funding of research and development of all generation technologies that can provide base-load power while achieving reduced CO2 emissions.

Nettleblad said he was perhaps revisiting the previous conversation related to base-load generation and renewable energy and asked what was the definition of baseload in regards to this recommendation? Polansky said storage of wind should be one of the types of R&D encouraged and asked if this wording excluded? Volker said it would not be excluded. Polansky said he wanted to be sure that the wording included technologies that might be able to provide base-load power in the future. Nettleblad asked if “base-load” could be deleted? Volker pointed out that the focus of the committee was intentionally on base-load, since that is the current issue in the state. Polansky suggested adding language indicating that developing storage for wind generation is included in the recommendation.

Following further discussion of current technologies that can be operated as base-load, storage technologies, and whether the phrase “all technologies” was broad enough to include storage for renewable energy, Brosius suggested the Description language be revised as follows: (1) delete everything after the word “costs” in the paragraph on base-load units and (2) move that paragraph to the top of the Description.

Dean asked for a clarification of what they would be voting on. Brosius summarized the changes: (1) strike “generation” from the recommendation language, (2) begin description with current paragraph 4, and (3) delete language after the word “costs” in paragraph 4. Dean asked if Polansky was satisfied with the amended language; he said he was. Weatherford asked if the language under legislative action would be revised as in previously discussed recommendations; Brosius said it would be.

Lee moved to approve the recommendation as revised; Volker seconded; the recommendation was approved unanimously (20 to 0).

Frahm opened discussion on Recommendation 2: Encourage the Kansas Bioscience Authority to allocate some of their funds to research and development related to biomass-fueled electric generation, including the analysis of carbon footprint.

Weatherford asked whether this recommendation would require a legislative amendment to the current KBA mission? Krissek said he thought KBA was currently interested in funding such projects. Kennedy suggested recommended actions could be worded to include legislation if needed. Brosius said she would write something to that effect.

Springe asked about the wording, “including analysis of carbon footprint.” Frahm, Nettelblad, and Lee commented about the desirability of evaluating co-firing projects in light of carbon emissions.

Nettelblad moved to approve the recommendation; Krissek seconded; and the recommendation was approved by a vote of 18 to 1.

Frahm called for discussion on Recommendation 3: Endorse collaborative development of advanced generation technologies in Kansas that can provide base-load power while reducing greenhouse gas emissions. Such collaboration could be between Kansas utilities, between Kansas utilities and regional utilities, or between Kansas utilities and other investors.

Brosius asked if anyone knew of law that currently prevented such collaboration, noting that utilities have collaborated in the past. Lee said there was nothing at the state level. Johnson said there might be some anti-trust issues. Frahm said he thought this recommendation arose from the belief that any new (low-carbon) base-load project would be so capital intensive that it would require such collaboration.

Brosius asked if wording needed to be revised to clarify who would be responsible for endorsing? Snead said it could be strengthened by saying that not just the utilities should be collaborating; he said this might be an opportunity to express the desire of the KEC for a more comprehensive approach to base-load generation and to pull together other parties to move this forward? Who else would we want at the table? Lee said that one of the ways you can do more than endorse is to get a legislative or regulatory body to consider incentives or mandate—need either a stick or a carrot. Volker suggested changing the word “investors” to “other interested parties.” Brosius asked if the intent was to broaden the recommendation beyond getting a project financed? Volker said he thought the intent was to find ways to spread the risk around on large baseload projects. Lee said this would include environmental groups as they are a part of the risk. Volker said it would also include banks, universities, etc. Springe said he thought this recommendation was aimed at projects out on the frontier. Lee said then you will need to bring in regulators because of the expense. Snead said he thought the question is what are the advantages of doing this? Lee suggested another question is what does the KCC use as the basis for their decisions? Springe said this was a great question, adding that you always have a fundamental question about how you handle the extra cost of new technologies.

Lee asked if there was inherent discouragement in the law today? Springe said he didn't think there is anything that discourages; the question is whether costs will be higher in the short or long term. Lee asked if there any recommended actions associated with this recommendation, and said her concern was if there are no recommended actions, why make it? Springe said there could be legislation or the KCC could open a docket; Snead suggested an executive order might be an option.

Volker said he agreed with Lee: I don't see what we would do with recommendation. I think we are getting too far into this. Holcomb got hammered because much of the power was going out of state. We wanted to make sure that if we invest in new technologies, we don't "take it on the chin" if the majority of the power is going out of state. Maybe we should can the recommendation. Frahm said he liked the recommendation because he believes collaboration will be necessary. Kennedy said he also thought there was value in this recommendation, but it should be amended as Volker suggested earlier, perhaps replacing "investors" with "stakeholders."

Kennedy moved to replace "investors" with "stakeholders"; Snead seconded. Snead suggested asking KCC whether a docket should be opened or the Governor if an executive order might be appropriate. He also said the Governor could use her bully pulpit to encourage collaboration. The recommendation was approved by a vote of 19 to 0.

Frahm said the discussion of remaining recommendations would resume following a 45-minute lunch break.

*[Lunch break]*

Frahm opened the discussion of Recommendation 4: Encourage utility investments in base-load generation plants' operating efficiency.

Frahm asked Brosius to say a few words about the "staff comments and suggestions" about this recommendation. Brosius said, unlike previous recommendations, the topic of this recommendation was not directly addressed by the committee, and staff hadn't developed any background information. She noted that the Council hadn't investigated this question nor how the KCC evaluates such investments.

Frahm said let's make sure we all know what we are talking about—that some of the power generated goes to power the facility itself. Volker said this "station power" differs greatly between units—some of our plants use 95% of their power to run the plant because these plants are not used often. Getting back to the point, Volker said he thought we should remove this recommendation from discussion this year.

Volker moved to remove recommendation; Johnson seconded; motion passed by a vote of 17 to 0 and the recommendation will not be included in the Kansas Energy Plan 2009.

Frahm opened the discussion of Recommendation 5: Encourage utility investments in carbon capture experiments and technologies.

Springe made a motion to remove this recommendation; Lee seconded, noting that the legislature has already provided incentives for this. Motion passed 17 to 0; the recommendation will not be included in the Kansas Energy Plan 2009.

### ***Energy Conservation and Efficiency***

Frahm opened the discussion of the background information associated with Section 9.4. Brosius said that the Overview for Chapter 9 was taken verbatim from last year's document and needs to be

updated. She also noted that staff would add to the list of Existing Programs and Policies for Section 9.4.

Frahm opened discussion of Recommendation 1: The State of Kansas should adopt a goal of increasing energy efficiency such that the rate of growth in electricity peak demand and total energy is 50% less than it would have been absent the energy efficiency initiative.

Springe said he and Volker had worked with staff to develop this goal statement, noting they had a large discussion about the Summit Blue study and the numbers they were using. He said there is no science behind the 50%, except that he didn't believe any energy efficiency undertaking has been able to do better than this. Volker agreed that the Summit Blue report indicated that the state would not be able to eliminate demand growth through energy efficiency alone. So the 50% reduction in growth rate seemed a reasonable goal. Regarding the projected growth in peak demand, Volker said recent data from NERC projected 18% growth in peak demand by ????. Volker said we may want to change this to be relative to projected growth rates.

Frahm said he thought that your suggested revision might be worded as in the revised staff suggestion. Dean said she thought the word projection was nebulous and depended on who was doing the projections. There was a general discussion of goals and outcomes in different states. Volker mentioned the ongoing discussions at the KCC involving standards for evaluation, monitoring, and verification of energy efficiency programs.

Springe suggested that we might be over-thinking this—it is just a goal statement. Dean and Snead argued for goals calling for absolute reductions in demand, with Snead saying that with the new Administration and the potential to reduce GHG emissions through energy efficiency, there will be more attention to these initiatives, more tools.

Schreiber asked if there was a timeline, and there was a general discussion of whether the goal statement needed to include a date. Curt Wright objected to a blanket statement calling for reductions in energy sales because he thought it would deter business from coming to Kansas.

Following some additional discussion about the merits of the revised language vs. the original—in which Brosius said she now viewed her suggested revision as confusing rather than clarifying—Frahm said he was back to preferring the original goal statement.

Volker moved to adopt the recommendation; motion was seconded; and the recommendation was approved by a vote of 19 to 1.

Frahm opened discussion of Recommendation 2: Establish minimum energy efficiency standard for all majority State-funded new construction (standards under consideration include LEED Platinum, 20% above IECC 2006).

Brosius said the parenthetical reference to possible standards should be removed in the final version and, if possible, replaced with a recommended standard.

Nettelblad said Kansas has about 5 million square feet of office space (doesn't include unoccupied space). He said because of the potential to improve the building envelop (e.g., add insulation), the

recommendation needs to include renovation. He moved to change “energy efficiency standard” to “design standard.”

Brosius mentioned that KDOT staff wanted to make sure the recommendation included language clarifying that the standard would apply only to occupied facilities.

Weatherford suggested tabling discussion of motion until they’d dealt with standard selection. Nettelblad said he would recommend the LEED Platinum, or something in line with that. IECC is good, but it doesn’t include things like storm-water runoff or reuse of gray water that can have a very positive impact on building operation.

Frahm asked Lee if the recommendation would be more or less effective if it includes a specific standard? Lee said she didn’t think it would make much difference. Nettelblad suggested LEED or a LEED-style guideline that some states are using to avoid certification costs. There was discussion of revised language and Nettelblad moved adoption of the following language: “Establish minimum building design standard for all new and renovated, occupied, majority State-funded construction in accordance with LEED Platinum or design equivalent.”

Frahm called for discussion of the motion. Steve Dillard said he had a problem with how to draw the line, especially with renovation. There is no allowance in this mandate for cost effectiveness. The state is out of money; if there is no economic escape clause, I can not support this recommendation. Nettelblad said other states have provisions that renovations should only be for large-scale projects; Arkansas has an escape clause provision for economic feasibility. Brosius asked if Dillard would have a problem if the recommendation would simply for new construction? Dillard said he would, if there isn’t an economic escape clause. Johnson said he wondered if there was any language in ADA guidelines for renovations that could be borrowed; Hans said there was. Dillard said that was what he was talking about, referencing horror stories associated with those renovations. Snead said it seems all this would need to be judged by the design professional, that a renovation may not be economically feasible; this is the sort of language we are looking for here. After discussion of various revisions to address cost-effectiveness, Nettelblad suggested including clause, “where the first cost does not exceed the life cycle costs.” Brosius asked what that meant exactly; Nettelblad said first costs are the initial, up-front costs, and life cycle costs include the cost savings that would happen. He said LEED Platinum is becoming easier and easier to achieve, we are aiming high, but it is achievable. The following sentence was suggested as an addition: “Compliance with standard can be determined by design professional in accordance with life-cycle cost analysis.” Motion to approve the recommendation with revised language was approved by a vote of 20 to 0.

### ***Energy Use in the Transportation Sector***

Frahm opened the discussion of Section 10.1, Recommendation 1: Encourage State agencies and managers to develop guidelines for telecommuting for appropriate state employees, giving broad discretion to managers on how such an option would be applied.

Weatherford moved to remove “and managers” and replace of “managers” with “state agencies.” Springe seconded; recommendation was approved, as revised, by a vote of 20 to 0.

### ***Energy Use in the Agricultural Sector***

Frahm opened the discussion of Section 11.1, Recommendation 1: Increase state agency and private sector efforts to educate farmers (and agricultural landowners) about the benefits—reduced CO2 emissions, energy and dollar savings—associated with no-till agriculture and existing state and federal conservation programs.

Brosius said she would like direction on who should take the lead in state government? Frahm asked Polansky for his suggestion. Polansky said he recommended the Natural Resources Cabinet team be the responsible party.

Dean said she assumed that reduced CO2 emissions is talking about reduced diesel fuel use, and not talking about carbon sequestration. Lee pointed out that soil carbon storage is mentioned in the Description. Dean said she appreciated the very good description of the current debate within the scientific community.

Polansky moved to adopt the recommendation; Springe seconded; recommendation approved by a vote of 19 to 1.

### **Council review and action on priority topics and issues for development during 2009**

Frahm began by asking Brosius how many topics the Council could handle in a year, and she said it was probably wise to limit it to two, but have everyone select four, so that staff could work on background information as time allowed and arrange presentations on those additional topics.

Bruce asked if priority topics were addressed in the recent member survey. Parkinson said the responses did not address topics for consideration, only size, structure and other issues related to the Council. Parkinson said he would discuss in more detail at the end of the meeting. Dean said we should be addressing issues to fulfill the executive order. Frahm agreed it would be helpful to weigh topics against the objectives in the executive order.

Springe raised concerns about the broad energy efficiency topic, which involves complex issues the KCC is currently investigating (and has a tall stack of documents related to). He said if the Council tries to get up to speed on these complicated matters, it would be an interesting year, to say the least.

Nettelblad said he'd like to combine air and water quality topics (2 and 3) and the wind and solar topics (numbers 5 and 6). Weatherford seconded the motion. Lee noted that we have a lot of wind studies, but not solar. Nettelblad withdraws his motion to combine wind and solar. Schreiber suggested that combining air and water quality is tough to do. Dean said it is complex, but correct.

Frahm asked for a vote on combining 2 and 3: 5 in favor; 14 opposed; 1 abstained.

Frahm asked Brosius about the results of the straw poll at the November meeting; Brosius compiled results and reported that #7(energy efficiency) came in first; #1 (energy and the state's economy) came in second; and #4 (nuclear energy) came in third.

Frahm reviewed all 11 suggested topics for next year and asked members to vote for top four topics. Frahm called for a short, 5-minute break, while staff counted votes. The priority topics selected for development in 2009 were (1) solar energy and (2) energy and the state's economy. Additional

topics for development, as time allows, are (3) geologic sequestration of CO<sub>2</sub> and (4) nuclear energy.

Co-Chair Parkinson thanked everyone for their hard work in the past year. He said on behalf of the Executive branch, he promised they would advocate for Council's recommendations.

Regarding the member survey, Parkinson said participation had been good, that there were a number of positive comments as well as concerns. He explained that the survey questions grew out of his having heard some concerns about whether the Council should continue (including one resignation in the past year), and he wanted to address those concerns by asking the Council for their feedback. He said a pretty significant number of members think there are issues, and these can be divided into three general categories:

- 1) Those that think everything is great, no changes are needed; in general, these folks gave the shortest responses and constituted 20% to 30% of total.
- 2) Those that think the Council has run its course and should be eliminated; these constituted about 20% to 30% of total.
- 3) Those that think we need to make some fundamental changes or consider ending it; these constituted the plurality of the comments. Issues mentioned included size and relevance.

Parkinson said it was clear that we need to do something, though we don't yet have a clear view of what that will be. Before the end of the year, Parkinson said he would discuss with the Governor. He said he would also discuss with Ken, Liz, and Ray, and he will inform the Council of the decision early in the new year.

Frahm followed up by saying that he would encourage Council members not to assume we are defunct. Lee said although she hadn't sent in a response to the survey, she believed the Council is valuable because it allows for in-depth discussion of issues, provides a public forum. She said she too had heard criticisms, but she still sees value in the information that is brought together. Brosius mentioned that Carl Holmes had expressed similar endorsement of the Council's function as an open forum for discussion of energy topics and issues and that this was an important function. Kennedy said he thought as long as the Governor, Legislature, and KCC thinks there's value, then he's happy to continue to serve.

#### **Other business and announcements**

Brosius said the first Council meeting in 2009 would be Tuesday, March 3.

The Kansas Water Office is holding a Basin Advisory Council meeting in Hays, December 11.

Frahm adjourned the meeting at 3:30.