

Kansas Administrative Regulations

Kansas Corporation Commission

Article 1.—Rules of Practice and Procedure

82-1-239. Definitions.

As used in this article, the following definitions shall apply: (a) "Attorney fees" means expenses incurred by an intervenor for an attorney with respect to a PURPA position.

(b) "Compensation" means reasonable attorneys' fees, reasonable expert witness fees, and other reasonable expenses incurred in preparation for and advocacy of a PURPA position.

(c) "Consumer" means any retail customer of an electric utility.

(d) "Expert witness fees" means expenses incurred by an intervenor for an expert with respect to a PURPA position.

(e) "Intervenor" means any retail consumer of an electric utility, any authorized representative of the consumer, any governmental instrumentality, or any representative of a group or organization authorized, pursuant to articles of incorporation or bylaws, to represent the interests of consumers.

(f) "Other reasonable expenses" means reasonable expenses incurred by an intervenor with respect to a PURPA position not exceeding 15 percent of the total of reasonable attorney and expert witness fees awarded.

(g) "PURPA" means the public utility regulatory policies act of 1978.

(h) "PURPA position" means a factual contention, legal contention or specific recommendation promoting one of the PURPA purposes and relating to one or more of the PURPA subtitle B standards.

(i) "Significant financial hardship" means a condition that shall be established by demonstrating that the intervenor does not have sufficient resources available to participate in the proceeding without an award of compensation or, in the case of a group or organization, by showing that the economic resources of the individual members of the group or organization are small in comparison to the expense of effective preparation for and participation in the proceeding.

(Authorized by K.S.A. 2001 Supp. 66-106, K.S.A. 66-1,185; implementing K.S.A. 66-1,185; effective, E-81-42, Dec. 17, 1980; effective May 1, 1981; amended Oct. 10, 2003.)

***** Authenticated Kansas Administrative Regulation *****