

## Other Viewpoints

# Commission needs better transparency

A Shawnee County District Court judge on Friday fined the Kansas Corporation Commission \$500 for violating the Kansas Open Meetings Act.

The court's ruling was the correct one and the fine, the maximum allowed by law, was justified. Far too often, violators of the Open Meetings Act are simply told to go and sin no more. The fine levied in this case was a welcome, and deserved, deviation from that practice.

Shawnee County District Attorney Chad Taylor brought the case against the commission after the Citizen Utility Rate Payer Board filed a complaint about its practice of "pink sheeting" — in which staff members meet with the three commissioners individually to get their opinions before writing public orders — contending it was a violation of the open meetings act.

The commission regulates the electricity, natural gas, oil, telephone and transportation industries in the state.

Taylor deserves kudos for filing the case and bringing an end to the practice. The commission acknowledged a technical violation of open meeting and the court Friday ordered it to refrain from further use of the procedure.

In his comments on the court's decision, however, Taylor declined to address a new "open meetings" policy drafted since the agency became embroiled in controversy over its procedure. His reluctance to discuss the agency's new policy is understandable given it wasn't part of the lawsuit and hasn't even been approved by the commissioners, who have decided to allow public comment on the policy before voting on it.

Taylor said the court's action satisfactorily resolved the case and he remained hopeful the agency's willingness to revise its policies boded well for open and transparent conduct in the future.

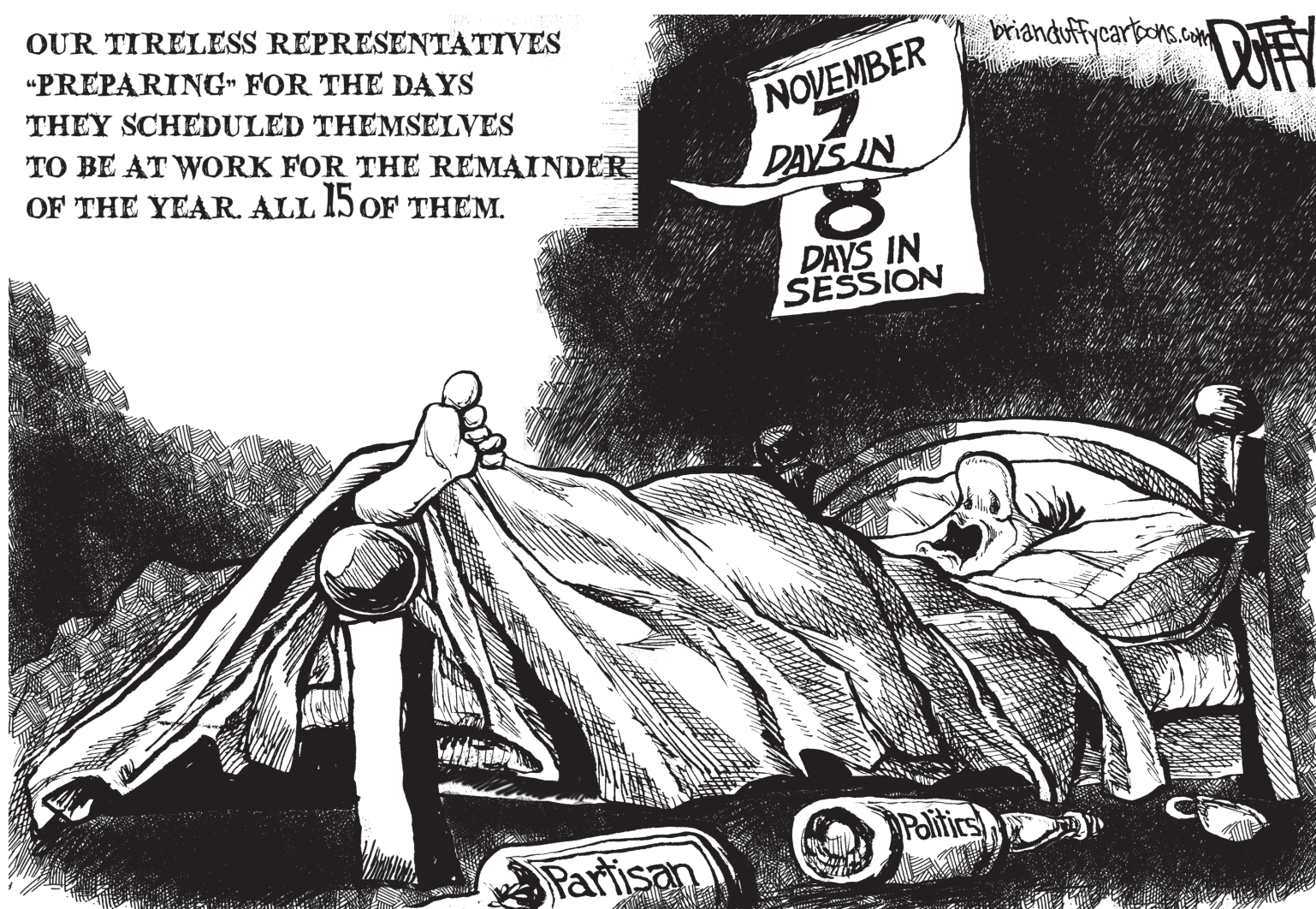
It is difficult for others to remain "hopeful," however, given the policy commissioners are considering gives them much leeway to conduct much of the public's business in secrecy under the guise of quasi-judicial deliberations.

Statutes governing the commission do, indeed, recognize the agency has a quasi-judicial function, but the policy now under consideration has stretched the definition of quasi-judicial to a point that allows commissioners to conduct behind closed doors deliberations that until now have been conducted in public.

It has become clear to many that the current commissioners prefer secrecy to sunshine, and there's simply no reason that an agency whose commissioners are appointed by the executive branch of state government needs to do so much of its work beyond the public's view.

— *The Topeka Capital-Journal, via the Associated Press*

**OUR TIRELESS REPRESENTATIVES  
"PREPARING" FOR THE DAYS  
THEY SCHEDULED THEMSELVES  
TO BE AT WORK FOR THE REMAINDER  
OF THE YEAR. ALL 15 OF THEM.**



# Flying chairs come as surprise

To say it was a surprise would be a gross understatement.

But I've got to say, my reactions must have been pretty quick.

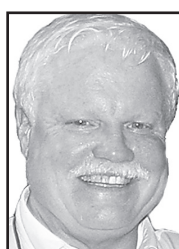
I was on the way home from Colby the other night, following a pickup in the dark up the "long flat" south of Oberlin on U.S. 83. Movement caught my eye, and I looked ahead just as the wind lifted what I thought was a single chair out of the pickup's bed.

I managed to dodge into the (fortunately empty) southbound lane in time to avoid this object without any problem, which kind surprised me. Wasn't sure I was still that quick or steady, and the last thing you want to do is to roll the truck avoiding a deer — or a chair.

Since the thing had landed in the middle of my lane, I whipped around after the traffic cleared and went back to check for debris. Looked like the next guy behind me had not had time to dodge after I whipped around it.

I found not one, but two plastic lawn chairs, the kind you stack. The one I had seen, a beige one, had been knocked off the road and shattered into a dozen pieces. The second one, dark green, looked to be intact. When I picked it up, though, it had a broken arm.

I set the green chair on the shoulder in case



**Steve Haynes**

• Along the Sappa

the owner realized what had happened and came back to look for it.

When Cynthia, who was on the way home from Hoxie and only a couple of miles behind me, got home, she said, "Did you see the chair on the shoulder south of town?"

"You," I said, "don't know the half of it."

The next day, she told me she'd seen a pickup in town with a green chair in the back and figured it was the same one. We're not sure if the owner came back to find it, or if someone just claimed it as a prize for cleaning up the right of way, but with a little glue, it might be usable.

The whole thing gave me a sense of déjà vu, in reverse, I guess. Years ago, we were putting on a cooking show in Colorado and needed a stove. We borrowed one from an appliance dealer in the next town.

We were on the highway headed home in the company truck, a 3/4-ton pickup equipped with a flat bed and a four-foot wire cage. Figuring the stove wouldn't fall out, we'd failed to put the end gate, which we almost never used, on the bed.

We realized our folly when we passed a semi at high speed. Bam! That stove just flew out of there. I can't recall if anyone was close behind us, but I'd think that would take a couple of years off your life expectancy.

When we got back to what was left of the stove — it sort of exploded when it hit the shoulder — we just picked up the pieces and took it to the dump. The appliance guy thought it was pretty funny when I paid him.

The biggest thing I've seen come off a truck ahead of us was a bale of hay, and that was scary enough. It was one of the old, small ones, but still big enough to wreck a car. I'd shudder to think about one of the big ones they put up today coming off, but the way some people load them, I know it happens.

And I don't want to be there when it does, thank you.

*Steve Haynes is president of Nor'West News-papers. When he has the time, he'd rather be reading a good book or casting a fly.*

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**THE COLBY FREE PRESS** (USPS 120-920) is published every Monday, Wednesday, Thursday and Friday, except the days observed for Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day, by Nor'West Newspaper, 155 W. Fifth St., Colby, Kan., 67701.

**PERIODICALS POSTAGE** paid at Colby, Kan., 67701, and at additional mailing offices. **POSTMASTER:** Send address changes to Colby Free Press, 155 W. Fifth St., Colby, Kan., 67701.

**THE BUSINESS OFFICE** at 155 W. Fifth is open from 8 a.m. to 6 p.m. Monday to Friday, closed Saturday and Sunday. **MEMBER OF THE ASSOCIATED PRESS**, which is exclusively entitled to the use for publication of all news herein. Member Kansas Press Association and National Newspaper Association.

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# Twilight Zone claims insurance website?

I feel like I'm sitting in an insurance black hole, or maybe it's an episode of *The Twilight Zone*.

More than six weeks after the health insurance marketplace supposedly opened for enrollment, I still haven't been able to purchase insurance for my family.

I haven't even been able to see the plans or find out if we qualify for tax credits.

A few weeks back, I wrote about my struggles to even get into the website. After many calls and hours spent on hold, my case was finally elevated to an "advanced" team for resolution. They were supposed to call me back in two days.

Anyone want to take bets on whether that happened?

I didn't think so.

It took a full two weeks to get a call back. Unfortunately, I was in a meeting at the time so I couldn't answer my phone. They left a message to call their main number, where the computer would recognize my phone number and send me directly to the advanced team.

"Directly" may have been a bit of an overstatement. Even after being sent to the advanced team, I sat on hold for 20 minutes.

Let me explain how "on hold" works at my house. My toddler, normally even-tempered but maniacal when it comes to cell phones, wants to grab the phone every time he sees it. So I try to hide it on the counter where he can't see it, but he catches on once he hears hold music or sees me talking and he wants it. The screaming begins, usually compromising any kind of long or detailed conversation, especially when the person on the other end is a less-than-friendly government type.

After my 20-minute hold, I finally got a real person and gave her my basic information but we got disconnected before she could even answer my question. Ugh.

Of course, she didn't call me back, so I called again — and started holding again.

About 10 minutes into that wait, my husband called and, having never mastered call-waiting, I gave up my spot in the health insurance line to help him find some paperwork.

I tried again and, after another 20 minutes, was finally successful at reaching someone.

The reason I can't submit my application, she told me, is because of a known glitch in the system.

Seriously?! You people couldn't have just left that info on voice mail in the first place?

As long as the Experian verification people told me I was verified, she said, I was verified but the system doesn't think I am. I just have to wait until they get the glitch figured out, but she had no idea how long that might be.

So much for "advanced" support.



**Heather Alwin**

• Windblown Libertarian

Grrr. I just want to see what my options are; I don't even know if I want the insurance! Do I have to sign a blood pact just to figure out how much a few plans cost?

I decided to call Experian again just to make sure I was actually verified in their system. A few weeks ago, I was verified, but I've learned there are gremlins in this quirky system, so I wanted to double check.

It turns out that I'm not even in their system — verified or not.

At first, Experian's system hung up on me because I told it that I didn't have a case reference number. These numbers are supposed to be given by the health insurance website when there are verification problems.

But the website won't give me a reference number anymore because I've reached my maximum attempts at online verification. Apparently, that doesn't generate the right kind of error message to trigger a reference number.

I called Experian back and pretended to have a reference number long enough to talk to a real person — who told me I needed a reference number.

I explained the situation and she tried to look up my account by my name. No luck. She tried by my application number. Again, no luck.

The representative said she could not do anything for me if I wasn't in their system. She told me to call the insurance people back.

Let me get this straight: two weeks ago, I was in their system and they looked up enough info to know where I lived two years ago. But now they can't even see my application.

You must be joking, right? Oh, wait, it's government-run, so of course it's no joke.

I asked her how I can get my information into their system. She didn't know. She said I had to fill out an application on the health insurance website.

Been there, done that, more than once. I refuse to do it again.

So I contacted the insurance people again.

Again they were as helpful as I have come to expect. (Yes, I realize it's probably not their fault. They are poorly trained cogs in a massively incompetent machine.)

The representative's only suggestion was to attempt to verify my identity by sending a copy of my driver's license to an office in Kentucky where someone will look at the photocopy and

decide that I am who I say I am.

I imagined a little sweatshop of hillbillies chugging moonshine while they're surrounded by mountain-high stacks of photocopied driver's licenses. Never mind that they have no way of knowing whether the photo on the license matches me or whether I could have stolen it or made a fake license.

This is high-security stuff, it seems.

Then, I may finally be allowed into the secret society of applicants for health insurance.

It will be an additional wait after that before they analyze the contents of my application. This is just to get my identity verified so I can submit the thing!

The representative did not know how long it would take to get my identity verified after I send in a paper copy, but it should take one or two weeks.

If the copy ever gets to Kentucky, of course.

I chose instead to upload the document electronically rather than placing my faith in yet another sometimes-questionable agency to get the paper to Kentucky in the first place.

The representative suggested I check back every day to see if the moonshine elves have processed it yet.

Sure, I'll do that.

A week later, I'm still not verified. My error status on the website now says my verification is pending, though, instead of saying verification was unsuccessful.

I'm not sure if that's an improvement.

Last week, I heard Rep. Tim Huelskamp talk about how positions are gained and lost in Congress based on fund-raising commitments to the powerful members of each party.

Who do I have to pay off to get this fixed? Maybe I should just send a check to Kentucky.

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