

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 475

Introduced by Davis, 43.

Read first time January 20, 2015

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend
- 2 section 70-1012, Reissue Revised Statutes of Nebraska; to change a
- 3 provision relating to the construction or acquisition of certain
- 4 electric generation facilities; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 70-1012, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 70-1012 Before any electric generation facilities or any
4 transmission lines or related facilities carrying more than seven hundred
5 volts are constructed or acquired by any supplier, an application, filed
6 with the board and containing such information as the board shall
7 prescribe, shall be approved by the board, except that such approval
8 shall not be required (1) for the construction or acquisition of a
9 transmission line extension or related facilities within a supplier's own
10 service area or for the construction or acquisition of a line not
11 exceeding one-half mile outside its own service area when all owners of
12 electric lines located within one-half mile of the extension consent
13 thereto in writing and such consents are filed with the board, (2) for
14 any generation facility when the board finds that: (a) Such facility is
15 being constructed or acquired to replace a generating plant owned by an
16 individual municipality or registered group of municipalities with a
17 capacity not greater than that of the plant being replaced, (b) such
18 facility will generate less than twenty-five thousand kilowatts of
19 electric energy at rated capacity, and (c) the applicant will not use the
20 plant or transmission capacity to supply wholesale power to customers
21 outside the applicant's existing retail service area or chartered
22 territory, (3) for acquisition of transmission lines or related
23 facilities, within the state, carrying one hundred fifteen thousand volts
24 or less, if the current owner of the transmission lines or related
25 facilities notifies the board of the lines or facilities involved in the
26 transaction and the parties to the transaction, or (4) for the
27 construction of a qualified facility as defined in section 70-2002. This
28 section only applies to construction or acquisition of an electric
29 generating facility that involves any activity or improvement that
30 results in an increase in generating capacity or that has a total cost of
31 one hundred fifty million dollars or more.

1 Sec. 2. Original section 70-1012, Reissue Revised Statutes of
2 Nebraska, is repealed.