

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB1369

Hearing Date: Thursday February 08, 2024
Committee On: Natural Resources
Introducer: Cavanaugh, J.
One Liner: Require interconnection for electricity distribution between local distribution systems and agricultural self-generation facilities

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 8 Senators Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator John Cavanaugh, J.
Al Juhnke

James Dukesherer

Opponents:

Neutral:

* ADA Accommodation Written Testimony

Representing:

Opening Presenter
Ag Leader Working Group (Nebraska Pork Association; Nebraska Corn Association; Nebraska Soybean Association; Nebraska Dairy Association; Nebraska Sorghum Association; Nebraska Cattlemen's Association; Nebraska Wheat Association; Nebraska Renewable Fuels Association and Nebraska Farm Bureau)
Nebraska Rural Electric Association

Representing:

Representing:

Summary of purpose and/or changes:

LB1369, introduced by Senator J. Cavanaugh, creates a new section in law concerning renewable energy facilities designed to primarily produce electricity as part of a self-generated or owner-generated facility for use in an agricultural operation. The bill defines terms and mandates that public power enable interconnection between a local distribution system and an agricultural self-generation facility.

LB1369 defines agricultural or horticultural land as it is defined under section 77-1359. Agricultural self-generation



facility means “a facility for the production of electricity that uses methane, wind, solar, biomass, hydropower or geothermal resources as its energy source, is controlled by the owner-generator and is located on premises controlled by the owner-generator, has a rated capacity of one hundred kilowatts or less, uses a device that prevents any backfeed of electricity to the local distribution system, is used for agricultural or horticultural purposes, and is not used for purposes of net metering (selling back excess electricity to the utility, or grid, to which it is connected).

Explanation of amendments:

AM 2707 removes reference to “interconnection” and clarifies that the self-generator applicant cannot be refused “service” as a customer that owns a self-generation facility that is used for agricultural or horticultural purposes, as long as the the self-generator is controlled by the owner-generator and is located entirely on the same premises as the owner-generator’s electric account provider being applied to.

Section by section

Sec. 1 (1)(a) through (f) set out definitions associated with Agricultural or horticultural purposes, self-generation facilities and products, and requirements for an energy producing facility to meet the definitions.

Subsection (2) directs that any local distribution utility is prohibited from denying or refusing service between its local distribution system and an agricultural self-generation facility and subjects an owner–generator to the interconnection requirements, rates, charges, and service agreement requirements of the local distribution utility in whose service are the self-generation facility.

Bruce Bostelman, Chairperson

