

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT
LB61

Hearing Date: Tuesday February 21, 2023
Committee On: Transportation and Telecommunications
Introducer: Brandt
One Liner: Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	5	Senators Bostelman, Brandt, DeKay, Fredrickson, Moser
Nay:	1	Senator Geist
Absent:	1	Senator Cavanaugh, M.
Present Not Voting:	1	Senator DeBoer

Testimony:

Proponents:

Tom Brandt
Brian Adams
John K. Hansen
James Dukesherer
Andrew Vinton
Lash Chaffin
Bruce Rieker

Beth Bazn Ferrell

Opponents:

Tip O'Neill
Michelle Weber
Dayton Murty
Taylor Teepell

Neutral:

Representing:

Introducer
Omaha Public Power District
Nebraska Farmers Union
Nebraska Rural Electric Association
ALLO Communications
League of Nebraska Municipalities
Nebraska Farm Bureau, Nebraska Corn Growers Association, Nebraska Pork Producers Association, Nebraska Soybean Association
Nebraska Association of County Officials

Representing:

Nebraska Telecommunications Association
Nebraska Advocacy Group
Charter Communications
Lumen

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

The bill provides that any agency of the state or political subdivision may in addition to selling or leasing dark fiber may also license such assets.
Amends section 86-577; agency or political subdivision, dark fiber leasing.



The section is amended by striking all authority possessed by the Nebraska Public Service Commission to require the filing, review and approval of dark fiber leases by state agencies and political subdivisions, including the requirement that a portion of the profit on the lease of dark fiber be deposited to the Nebraska Universal Service Fund.

The section is amended by the addition of language stating that State agencies and political subdivisions may lease or license dark fiber and related infrastructure under terms determined by the agency or subdivision.

SECTION REPEALED OUTRIGHT

Section 86-578 is repealed outright;

86-578. Dark fiber; violation; procedure; appeal.

In an original action concerning a violation of any provision of sections 86-574 to 86-578 by an agency or political subdivision of the state, the Public Service Commission shall have the jurisdiction set forth in section 75-132.01. After all administrative remedies before the Public Service Commission have been exhausted, an appeal may be brought by an interested party. Such appeal shall be in accordance with section 75-136.

Suzanne Geist, Chairperson

