

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1370

Introduced by Bostelman, 23; Albrecht, 17; Brewer, 43; Clements, 2;
DeKay, 40; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33;
Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach,
44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34;
Lowe, 37; McDonnell, 5; Meyer, 41; Murman, 38; Sanders, 45;
Slama, 1; Wayne, 13.

Read first time January 17, 2024

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to public power; to define terms; to require
- 2 an electric supplier to replace a retired dispatchable electric
- 3 generation facility as prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Dispatchable electric generation facility means a facility that
3 uses hydropower, coal, natural gas, hydrogen, or nuclear power to
4 generate dispatchable electricity for provision to customers;

5 (b) Dispatchable electricity means a source of electricity that is
6 under normal operating conditions available for use on demand and that
7 can be dispatched upon the request of a power grid operator or that can
8 have its power output adjusted according to market needs, except during
9 routine maintenance or repairs;

10 (c) Electric supplier means a public power district, a public power
11 and irrigation district, or a municipal electric system; and

12 (d) Retired or retirement means the closure of, or the complete and
13 permanent cessation of operations at, an electric generation facility.

14 (2) Unless retirement is mandated by federal law, prior to the
15 retirement of an existing dispatchable electric generation facility in
16 this state, an electric supplier shall first certify to the Nebraska
17 Power Review Board that such electric supplier has:

18 (a) Secured and placed on the state's electric grid a dispatchable
19 electric generation facility with an equal or greater nameplate capacity
20 than the existing retired dispatchable electric generation facility to be
21 retired; and

22 (b) The adequate transmission infrastructure necessary to
23 interconnect the new dispatchable electric generation facility to the
24 state's electric grid and transmit dispatchable electricity.