

March 27, 1974

SENATOR GOODRICH: Yes, this is what I indicated at the beginning. We have to take the front portion, the front paragraph of the Schmit amendment and then the last three lines of the Schmit amendment plus the last section of the Schmit amendment. Now, the reference you say you're referring to, rather about the dispute that was referred to the power review board being advisory only. We are striking that out in my amendment and in the Lewis amendment to the Goodrich bill which was adopted in the committee amendments makes the decision by the power review board mandatory and if they don't want to settle for that, then they can appeal to the Supreme Court.

SENATOR WHITNEY: So, Senator Goodrich, you've already accepted the Lewis amendment and that's still going to be left in, is that correct?

SENATOR GOODRICH: The Lewis amendment has been accepted and I'm...if you'll adopt my amendment to the Schmit amendment, we're leaving the Lewis amendment in so that the decision of the power review board is mandatory.

SENATOR WHITNEY: Then does the Schmit amendment take the Lewis amendment out?

SENATOR GOODRICH: Yes.

SENATOR WHITNEY: Thank you.

PRESIDENT: Senator Richard Lewis and then Senator Cavanaugh.

SENATOR R. LEWIS: Mr. President and members of the Legislature. I got in here a little late so I'm not sure what the progress is on the discussion. But I would like to speak to Senator Richendifer's statement that the directors run each particular district, that the directors run NPPD. And I'd certainly challenge that statement because any good manager worth his salt manages the directors also. This is a simple open and shut case, this happens every where. I don't see how this can be such a mystery. Now this particular amendment that I put on and had adopted in the committee has a very specific reason. Because and I did confine it to wheeling. Because no one without a lot of engineering studies and they're hard to pin down, no one can tell you exactly what the capacity of any given grid is at any given point. Because you don't pour energy in at one end like water and take it out at the other end. You energize it different points in the grid and you take it out at different points. And so I didn't feel that it was at all fair and I'm specifically speaking to NPPD, it wasn't in the best interests of the public...as recipients of public power to be captives out at the end of the line without any authority whatsoever to determine whether or not a given system had capacity to wheel energy. So with this in mind, if they are going to be given the authority to build additional facilities, then there should be someone qualified and authorized to make this determination as to the capacity of this particular grid and whether or whether not more distribution system is needed.

PRESIDENT: Now, Senator Epke. A minute ago I had announced you as next to speak and I passed over you. I just looked at the wrong line of my notes here. Senator Epke.

SENATOR EPKE: Mr. President and fellow members of the Legislature. Kind of a point of clarification and I think in order to get this, I'll have to ask a question of Senator Schmit.