

March 1, 1978

LB 177, 729

CLERK: 26 ayes, 6 nays on the motion to indefinitely postpone, Mr. President.

SPEAKER LUEDTKE: Senator Brennan, (microphone not working properly.)

SENATOR BRENNAN: ...consideration.

SPEAKER LUEDTKE: Well, it's already too late. We've already announced the vote. The motion carries. LB 177 is indefinitely postponed. The next bill is LB 729.

CLERK: Mr. President, (Read title to LB 729.) The bill was first read on January 9, 1973. It was referred to the Judiciary Committee. It was advanced to General File, Mr. President. There are no amendments pending.

SPEAKER LUEDTKE: Before we do that I would like to, since we are reaching the end of the agenda here today, to give you the continuing list which has been on your agenda before, there was not room enough to put it on today. Take down these bill numbers. After LB 729 the following bills in the following order will be taken on General File. LB 271, LB 711, LB 440, LB 445, LB 508, LB 169, LB 140, LB 187, LB 121, LB 388. I guess that ought to be far enough. Senator Barnett.

SENATOR BARNETT: Mr. President, members of the Legislature, I move for the advancement of LB 729 to E & R Initial. The purpose of LB 729, I'm sure a lot of you have already been explained to in the rotunda, and it might save me a lot of job and a lot of time by explaining it to you, but I think we'll take the time anyway if you will allow us to. LB 729 was thought of by myself and Senator Fowler and with the assistance of the Judiciary legal counsel, John Goc, put this bill together in a matter of a day or two. As I understand that some electrical companies have been together for a year trying to do the same thing. What we want to do is try to provide for quick settlements of disputes that arise out of charges for wholesale power and any time you concern yourself with wholesale power in the State of Nebraska, I guarantee you that you come under a huge assault by the power lobby. I want you to take time and listen to what we have as it is not going to work against anyone as far as we're concerned. We think the bill is a fair bill, an honest bill attempting to eliminate a problem that L.E.S. which is the Lincoln Electric Service has had for years and I don't know whether other power receivers have had these problems. I am familiar with the one in Lincoln and that is why we're trying to do something in this area. This will work for every power company involved with every power company that receives wholesale power in the State of Nebraska. If a dispute arises out of the rates that are charged, there is a sixty day notice that is given to the supplier from the date when the billing charges are presented. They are given sixty days to look this over, decide what they are going to do. What we talked about and what we decided was best at the time was the fact that if your rates in the present situation where you have to pay your rate charges, the consumer ends up paying the bill. What we say in this dispute and in this arbitration legislation is that, if I can use an example to make it plainer between L.E.S. and N.P.P.D. N.P.P.D. says this is what the charges will be. L.E.S. says no its not. We don't pay that according to our agreement. We think it is something else. L.E.S. would then keep that money and not pay N.P.P.D. until the dispute was settled. Just the disputed charges. If they cannot settle this dispute within forty-five

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