

days of notification between the two companies, then they set up an arbitration board with each party being allowed one person to represent them and the two parties that represent the wholesale and the buyer of the wholesale party, would select a third party. Then the controversy would be submitted to arbitration pursuant to sections 25-2104 and 2120 in the state statutes which we already have. We already have statutes for arbitration on the books in the State of Nebraska. The Board has ninety days after receiving the dispute to complete the investigation and then within twenty days after the completion of the investigation the Board or a majority of the Board render a decision stating such details as will clearly show the nature of the controversy and the point disposed of by the Board. The people in the City of Lincoln have had to pay, as I understand it, over the last three or four years in the arbitration suit with N.P.P.D. a million and a half dollars for counsel. That has cost the rate payers in the City of Lincoln and any person that receives service from L.E.S. the money to make up what it costs for arbitration. I don't think it is fair to have the people have to pay for arbitration year in and year out with their electrical rates and along with the electrical bills. The electrical service is getting so high now that you probably can only, if it keeps going like it is in another year or two, only use electrical service a half a month and then you might not be able to afford that. So why add on top of that arbitration costs for legal fees, for attorneys, for three or four years? I thought we had just come to a settlement in our area and then I notice again that we may go right back into another one. This is the reason that Senator Fowler and myself and almost the rest of the Lincoln delegation decided it was time to try to do something in the power area to make these Boards try to get together and arbitrate some of the problems that they have and settle the issues instead of continually carrying them on and on and on...

SENATOR NICHOL PRESIDING

SENATOR NICHOL: You have one minute to go on.

SENATOR BARNETT:at the rate payers expense. Therefore I would ask that you please advance LB 729 to E & R Initial and the two of us here will try to answer any questions that you might have.

SENATOR NICHOL: Senator Mills.

SENATOR MILLS: Mr. President, members of the Legislature, Senator Barnett and Senators Fowler and Barnett bring you an issue here that is not new to some of us. It's not new to some of us who have been serving on a Public Works Committee and who have heard this dispute from the other side. I don't know if Senator Schmit is here today but he has a bill, LB 377, which is just the opposite of this. Last year, you remember, the problems that developed in public power because of territorial problems, because of the litigation between L.E.S. and N.P.P.D., and at that time, members of the Legislature, we thought that the public power group, entities, lobby, however you want to speak of them, said well, we'll wait a minute. Let's hold back any legislation that has to do with these issues, territorial, expansion, the recovery of funds from one entity to another, but no. Senator Barnett brings to us and I'm sure Senator Barnett would tell you it's an L.E.S. bill. There is no doubt. Brings to us