

AMENDMENTS TO LB 725

1 1. Strike original section 8 and insert the following
2 new section:

3 "Sec. 13. Section 19-4602, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 19-4602. As used in the Municipal Natural Gas Regulation
6 Act, unless the context otherwise requires:

7 (1) Area rate shall mean the rate charged for natural gas
8 service to a class of customers located within a municipality and
9 its zoning jurisdiction as determined from the cost of service for
10 the rate area;

11 (2) Associated company shall mean any company or person
12 that directly or indirectly, through one or more intermediaries,
13 controls or is controlled by a utility or is under common control
14 with a utility;

15 (3) Base year shall consist of either the most recent
16 calendar year or a consecutive twelve-month period ending not more
17 than six months prior to the date of filing;

18 (4) Countable days shall mean those calendar days not
19 subject to suspension as provided for in the Municipal Natural Gas
20 Regulation Act;

21 (5) Customer shall mean any noninterruptible purchaser of
22 natural gas within a municipality or its zoning jurisdiction with
23 requirements of less than one hundred thousand cubic feet of
24 natural gas per day;

1 (6) Date of filing shall mean the first day of the month
2 following the date the rate filing is received by the office of the
3 clerk of each municipality in the rate area;

4 (7) Date of final action shall be the date upon which the
5 last municipality in a rate area adopts or fails to adopt a rate
6 ordinance under a rate filing or the one hundred eightieth day,
7 counted as provided in section 19-4607, whichever comes first;

8 (8) District court shall mean the district court of
9 Lancaster County;

10 (9) Judicial review shall mean, but shall not be limited
11 to, injunctive relief and other equitable relief;

12 (10) Interim rates shall mean the newly filed rates
13 charged by a utility for natural gas after the ninetieth countable
14 day following the date of filing but prior to final action by the
15 municipality on the rate filing;

16 (11) Municipality shall mean any city of the primary
17 class, city of the first class, city of the second class, or
18 village in Nebraska or, when the context requires, any combination
19 of the same acting in concert in a properly created rate area;

20 (12) Natural gas shall mean either unmixed natural gas or
21 any mixture of natural gas with one or more artificial gases and
22 other hydrocarbons;

23 (13) Rate shall mean every compensation, charge, fare,
24 toll, tariff, rental, late payment charge, or classification which
25 is demanded, observed, charged, or collected by a utility for
26 natural gas and any rules affecting any such compensation, charge,
27 fare, toll, tariff, rental, late payment charge, or classification;

1 (14) Rate area shall mean the municipalities within a
2 geographic area within the state which is properly established
3 under section 19-4606 for the purpose of determining an area rate
4 applicable to the customers within the municipalities and their
5 zoning jurisdictions within the rate area. A rate area shall be
6 served by a single utility through a common pipeline system from
7 the same natural gas supply source within the common system for
8 which the utility has similar costs for serving customers;

9 (15) Rate filing shall mean the formal application by a
10 utility for a change in rates together with the information
11 required by section 19-4611;

12 (16) Subsidization shall mean the action of a utility by
13 which it includes in its rate charged to customers costs and
14 expenses of the utility or any associated company not authorized by
15 or through the operation of the act for purposes of providing
16 pecuniary aid or assistance to the utility's or associated
17 company's appliance merchandising, appliance jobbing, or appliance
18 service contract work activities;

19 (17) Test year shall mean either a consecutive
20 twelve-month period commencing on the proposed effective date of
21 the rate increase or a base year adjusted for known and measurable
22 changes; and

23 (18) Utility shall mean any investor-owned utility or
24 metropolitan utilities district maintaining and operating a natural
25 gas distribution system within a municipality or its zoning
26 jurisdiction in this state.".

27 2. On page 2, line 3; page 3, lines 4 and 16; page 4,

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1 line 16; and page 5, line 21, strike "15-311".

2 3. On page 12, line 16, strike "15-311,"; and in line 17
3 strike "and 17-1003," and insert "17-1003, and 19-4602,".

4 4. Renumber the remaining sections accordingly.