

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1240

Introduced by Bromm, 23

Read first time January 12, 2000

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Public Service Commission; to amend
2 section 75-134, Reissue Revised Statutes of Nebraska; to
3 change the effective date of commission orders during the
4 pendency of an appeal; and to repeal the original
5 section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 75-134, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 75-134. (1) A commission order entered after a hearing
4 shall be written and shall recite ~~(1)~~ (a) a discussion of the facts
5 of a basic or underlying nature, ~~(2)~~ (b) the ultimate facts, and
6 ~~(3)~~ (c) the commission's reasoning or other authority relied upon
7 by the commission.

8 (2) Every commission order ~~Except as otherwise provided~~
9 ~~in sections 75-121 and 75-139 and except for cease and desist~~
10 ~~orders issued pursuant to section 75-133, all commission orders~~
11 ~~shall become operative~~ effective ten days after the date of the
12 mailing of a copy of the order to the parties of record ~~unless~~
13 except (a) when the commission prescribes a later effective date,
14 (b) as otherwise provided in section 75-121 or 75-139, (c) as
15 otherwise provided for cease and desist orders issued pursuant to
16 section 75-133, or (d) for orders - An order entered pursuant to
17 section 75-319 which shall be effective on the date of entry.

18 (3) ~~If a party of the order by the commission. Except as~~
19 ~~to rate orders provided for in section 75-139, if one of the~~
20 ~~parties of record commences one of the appeal proceedings provided~~
21 ~~in an appeal pursuant to section 75-137, the order appealed shall~~
22 ~~be in abeyance until~~ become effective on the date prescribed in
23 subsection (2) of this section and remain in effect unless the
24 Court of Appeals or Supreme Court issues ~~its~~ a mandate reversing or
25 modifying the order. ~~Nothing in this section shall hold in~~
26 ~~abeyance an order authorizing the issuance of a certificate or~~
27 ~~permit, an order denying relief or authority, or an order entered~~
28 ~~pursuant to section 75-319.~~

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1 Sec. 2. Original section 75-134, Reissue Revised
2 Statutes of Nebraska, is repealed.