

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB208

Hearing Date: Thursday January 20, 2011
Committee On: Natural Resources
Introducer: Langemeier
One Liner: Provide waiver and injunctive relief powers to the Nebraska Power Review Board

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Carlson, Christensen, Dubas, Haar, Langemeier, McCoy, Schilz, Smith
Nay:
Absent:
Present Not Voting:

Proponents:

Senator Chris Langemeier
Tim Texel

Representing:

Introducer
Nebraska Power Review Board

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 208 makes clarifications to the statutes governing certified renewable export facilities that passed last year.

Section 1 amends 70-1001.01, which provides definitions for the Nebraska Power Review Board sections, by recognizing that "electric supplier" in the wind for export law does not mean the same thing as "electric supplier" in the rest of the Power Review Board statutes. For all other Power Review Board purposes, electric suppliers sell at wholesale or retail within the state.

Section 2 amends 70-1013, relating to Power Review Board hearings, by clarifying that a hearing is to be held 120 days after an application is filed rather than 120 days from the day of filing. Also allows the PRB to waive the conditional approval hearing for a certified renewable export facility (wind for export), if in its judgment the required findings can be made without one.

Section 3 amends 70-1014.02, relating to certified renewable export facility applicants (wind for export), by making the same "electric supplier" clarification as in Section 1.

Section 4 amends 70-1015, relating to electric general facility and transmission line suppliers, by allowing the PRB to enjoin or otherwise impose limitations on an owner or operator of a certified renewable export facility who is in violation of law or board-imposed requirements. Also recognizes that a court may impose conditions on a violator that may be rectified.

Section 5 amends 76-3001, relating to wind agreements, by eliminating language adopted in a bill two years ago relating

to decommissioning security that is inconsistent with LB 1048.

Section 6 repeals the original sections.

Chris Langemeier, Chairperson