

LEGISLATIVE BILL 1115

Approved by the Governor April 16, 2014

Introduced by Davis, 43; Brasch, 16; Dubas, 34; Haar, 21; Schilz, 47; Seiler, 33; Smith, 14; Sullivan, 41.

FOR AN ACT relating to appropriations; to state intent to appropriate additional funds to the Nebraska Power Review Board for a study; to state public policy; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. It is the intent of the Legislature to appropriate an additional \$200,000 for FY2014-15 to the Nebraska Power Review Board from the General Fund to provide funds to conduct or cause to be conducted a study of state, regional, and national transmission infrastructure and policy and future needs for transmission infrastructure and policy to serve Nebraska electric consumers and utilities and generation facilities in Nebraska seeking to export electricity outside of the state.

Sec. 2. It is the policy of the state to encourage and allow opportunities for development and operation of renewable energy facilities intended primarily for export from the state in a manner that protects the ratepayers of consumer-owned utility systems operating in the state from subsidizing the costs of such export facilities through their rates and that results in economic development and employment opportunities for residents and communities of the state.

Sec. 3. The purposes of the study provided for under sections 1 to 5 of this act shall include, but not be limited to, identification of electric transmission and generation constraints and opportunities, federal and state legal and regulatory requirements and practices, national and regional transmission operation, national and regional transmission plans and policies, national and regional markets for electricity export and opportunities for and barriers to exporting electricity to such markets, and economic development benefits of expanded state, regional, and national transmission connections.

Sec. 4. The scope of the study provided for under sections 1 to 5 of this act shall receive input from a working group that may include, but not be limited to, members of the Legislature, the State Energy Office, the Department of Economic Development, public power districts and other Nebraska electric providers, renewable energy development companies, municipalities, the Southwest Power Pool, the Western Area Power Administration, other transmission system owners, transmission operators, transmission developers, environmental interests, and other interested parties.

Sec. 5. (1) The Nebraska Power Review Board shall issue a request for proposals to conduct the study provided for under sections 1 to 5 of this act after consultation with the working group as provided for in section 4 of this act.

(2) Any contracts or agreements entered into under this section shall not be subject to the Nebraska Consultants' Competitive Negotiation Act or sections 73-301 to 73-306 or 73-501 to 73-510.

(3) The Nebraska Power Review Board shall present the results of the study to the Executive Board of the Legislative Council with a copy to the Clerk of the Legislature and the Governor on or before December 15, 2014. The report shall be submitted electronically.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.