

## ENGROSSED LEGISLATIVE BILL 20

Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to renewable energy; to define terms; and to provide for electric service between a local distribution system and an agricultural self-generation facility as prescribed.

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

**Section 1.** (1) For purposes of this section:

(a) Agricultural or horticultural purposes has the same meaning as in section 77-1359;

(b) Agricultural self-generation facility means a facility for the production of electricity that:

(i) Uses methane, wind, solar, biomass, hydropower, or geothermal resources as its energy source;

(ii) Is controlled by the owner-generator and located entirely on the same premises as the owner-generator's electric account with the local distribution utility;

(iii) Is owned, leased, or otherwise controlled by the owner-generator and used for agricultural or horticultural purposes;

(iv) Has a rated capacity of one hundred kilowatts or less;

(v) Utilizes a device which prevents any backfeed of electricity to the local distribution system; and

(vi) Is not used for purposes of net metering;

(c) Local distribution system means the equipment and facilities used by a local distribution utility to distribute electricity to end-use customers;

(d) Local distribution utility means the owner or operator of a local distribution system. Local distribution utility includes a public power district, a public power and irrigation district, an electric cooperative, or a municipal electric system;

(e) Net metering has the same meaning as in section 70-2002; and

(f) Owner-generator means the person controlling an agricultural self-generation facility.

(2) No local distribution utility shall deny or refuse electric service to a customer that owns an agricultural self-generation facility. An owner-generator is subject to the interconnection requirements, safety standards, electric rates and charges, and service agreement requirements of the local distribution utility in whose service area the agricultural self-generation facility is located. Nothing in this subsection shall be construed to prohibit a local distribution utility from establishing the rates or fees necessary to fully cover its costs to serve a customer that is an owner-generator.

(3) An owner-generator shall notify the local distribution utility of such owner-generator's intent to install an agricultural self-generation facility.

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**PRESIDENT OF THE LEGISLATURE**

*THIS IS TO CERTIFY that the within LB 20 was passed by the One Hundred Ninth Legislature of Nebraska at its First Session on the ..... day of ..... 20.....*

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**CLERK OF THE LEGISLATURE**

**Approved:**

..... 20....., ..... o'clock .....M.

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**GOVERNOR**