

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1111

Introduced by Cavanaugh, M., 6; McKinney, 11.

Read first time January 16, 2026

Committee:

- 1 A BILL FOR AN ACT relating to electricity; to amend section 70-1025,
2 Revised Statutes Cumulative Supplement, 2024, and section 70-1506,
3 Revised Statutes Supplement, 2025; to require an annual data center
4 load report to the Nebraska Power Review Board; to define and
5 redefine terms; to provide powers and duties for public power
6 suppliers; to allow and require regulation of data centers as
7 prescribed; to change provisions relating to regulation of
8 cryptocurrency mining operation; and to repeal the original
9 sections.
- 10 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 70-1025, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 70-1025 (1) The representative organization shall file with the
4 board a coordinated long-range power supply plan containing the following
5 information:

6 (a) The identification of all electric generation plants operating
7 or authorized for construction within the state that have a rated
8 capacity of at least twenty-five thousand kilowatts;

9 (b) The identification of all transmission lines located or
10 authorized for construction within the state that have a rated capacity
11 of at least two hundred thirty kilovolts; and

12 (c) The identification of all additional planned electric generation
13 and transmission requirements needed to serve estimated power supply
14 demands within the state for a period of twenty years.

15 (2) The representative organization shall file with the board the
16 coordinated long-range power supply plan specified in subsection (1) of
17 this section, and the board shall determine the date on which such report
18 is to be filed, except that such report shall not be required to be filed
19 more often than biennially.

20 (3) An annual load and capability report shall be filed with the
21 board by the representative organization. The report shall include:

22 (a) Statewide utility load forecasts and the resources available to
23 satisfy the loads over a twenty-year period; and

24 (b) Such other information as the board requests if such request is
25 submitted in writing to the representative organization, is consistent
26 with the board's statutory responsibilities, and can be performed at a
27 reasonable cost.

28 (4) The annual load and capability report shall be filed on dates
29 specified by the board.

30 (5) An annual data center load report shall be filed with the board
31 by the representative organization. The report shall include:

1 (a) A compilation of the information for proposed and existing data
2 centers described by subsection (9) of section 70-1506;

3 (b) A statewide data center load forecast;

4 (c) A description of existing and proposed electricity generation
5 needed to meet such load forecast;

6 (d) A description of transmission additions and enhancements needed
7 to meet such load forecast;

8 (e) The estimated costs of all new generation and transmission
9 needed to meet such load forecast;

10 (f) Stranded asset costs, including total costs recovered from
11 ratepayers that are not data centers;

12 (g) Identification of data center decommissioning resources,
13 activities, and shortfalls;

14 (h) The policies, terms, and schedules of all public power suppliers
15 intended to limit cost and risk impacts of data centers on other retail
16 customers; and

17 (i) Such other information the board considers necessary in the
18 interest of the public.

19 (6) The annual data center load report shall be filed on dates
20 specified by the board. The board shall make the information in the
21 annual data center load report public to the maximum extent permitted by
22 law.

23 **Sec. 2.** Section 70-1506, Revised Statutes Supplement, 2025, is
24 amended to read:

25 70-1506 (1) For purposes of this section:

26 (a) Cryptocurrency mining means validating transactions for addition
27 to a blockchain distributed ledger;

28 (b) Cryptocurrency mining operation means a data center at least any
29 ~~facility of one megawatt in size but not exceeding twenty megawatts in~~
30 size or greater that conducts cryptocurrency mining; ~~and~~

31 (c) Data center means a facility:

1 (i) The primary services of which are the storage, management, and
2 processing of digital data; and

3 (ii) That is used to house computer and network systems, including
4 associated components such as servers, network equipment and appliances,
5 telecommunications systems, data storage systems, systems for monitoring
6 and managing infrastructure performance, Internet-related equipment and
7 services, data communications connections, environmental controls, fire
8 protection systems, and security systems and services;

9 (d) Large data center means a data center with a peak electricity
10 demand of twenty megawatts or more; and

11 (e) ~~(e)~~ Public power supplier means a public power district,
12 municipal electric utility, or any other government entity providing
13 electric service.

14 (2) When establishing or negotiating rates, tolls, rents, and other
15 charges for large data centers, a public power supplier shall ensure, to
16 the maximum extent permitted by law, that:

17 (a) Each large data center pays the full cost of providing new
18 electric service to such center, including, but not limited to, the cost
19 of infrastructure upgrades necessitated by the operation of such center;

20 (b) The cost of providing electric service to a large data center is
21 not paid by other retail customers;

22 (c) Other retail customers are not placed at financial risk for
23 paying stranded costs associated with providing electric service to large
24 data centers that have prematurely ceased operation; and

25 (d) Each large data center bears all decommissioning costs of such
26 center.

27 (3) A public power supplier shall impose terms and conditions on a
28 large data center to require that such center:

29 (a) Pay the cost of infrastructure upgrades necessitated by the
30 operation of the large data center;

31 (b) Prevent transfer of costs and risks of infrastructure upgrades

1 to other retail customers during the operation of the large data center
2 and, in the event the large data center operation ceases to operate,
3 before the center pays the full costs of infrastructure upgrades
4 necessitated for the operation of the center;

5 (c) Submit a proposal to meet some or all of the large data center
6 operation's load demand through private electric supplier agreements or
7 self-generation, as a means to limit the risk of ratepayer stranded-asset
8 costs;

9 (d) Comply with any decommissioning requirements adopted by local
10 governmental entities;

11 (e) Submit a decommissioning plan to the public power supplier that
12 obligates the large data center to:

13 (i) Bear all costs of decommissioning the large data center;

14 (ii) Post a security bond or other instrument, no later than the
15 first year following commercial operation of the large data center,
16 securing the costs of decommissioning the center; and

17 (iii) Provide a copy of such bond or instrument to the public power
18 supplier;

19 (f) Provide the public power supplier with a copy of any required
20 county or municipal zoning and other permits; and

21 (g) Enter into a community benefit agreement to mitigate adverse
22 community impacts.

23 (4) (2) A public power supplier may impose requirements on any
24 cryptocurrency mining operation for the cost of infrastructure upgrades
25 necessitated by such operations, including, but not limited to:

26 (a) Requiring direct payment or a letter of credit from such
27 operation for such cost; or

28 (b) Imposing terms and conditions on such operation that are in the
29 interest of the public.

30 (5) (3) Requirements imposed pursuant to this section shall be fair,
31 reasonable, and not unduly discriminatory.

1 (6) {4} Before any requirement is imposed pursuant to this section,
2 the public power supplier shall conduct a load study to determine the
3 costs, impacts, and infrastructure upgrades necessitated by the large
4 data center or cryptocurrency mining operation.

5 (7) A public power supplier shall limit electric service to a large
6 data center to the extent such center is able to acquire electric service
7 from a private electric supplier or self-generation of the center and
8 shall interconnect the center's private supplier and self-generation.

9 (8) {5} Any person intending to install a large data center or
10 cryptocurrency mining operation is responsible for notifying the local
11 public power supplier of such intent, and such center or operation is
12 subject to the interconnection requirements of such supplier.

13 (9) {6} Each public power supplier shall make available to the
14 public on the supplier's website the following information for each
15 proposed and existing data center under the jurisdiction of the supplier:
16 ~~number of cryptocurrency mining operations under the jurisdiction of the~~
17 ~~supplier and the annual energy usage of each operation.~~

18 (a) The name of the data center;

19 (b) The names of the developers and owners of the data center;

20 (c) The physical size of the data center in square feet;

21 (d) The location of the data center, including street address and
22 county;

23 (e) The electricity demand of the data center;

24 (f) The suppliers of electricity that would provide electric service
25 to the data center and the amount of electricity provided by each
26 supplier, including the names of public power suppliers and any private
27 electricity suppliers, self-generation, or other energy suppliers;

28 (g) The customer types and duration of customer demand contracts for
29 the data center;

30 (h) The transmission and distribution facility additions and
31 enhancements required to serve the data center;

1 (i) All energy efficiency, load management, and conservation
2 measures implemented by the data center;

3 (j) All commitments by the data center to use renewable energy; and

4 (k) The service life of the data center.

5 (10) (7) A large data center or cryptocurrency mining operation
6 shall allow a public power supplier to interrupt the such-operation's
7 electric service of such center or operation according to such supplier's
8 established rate schedules and policies.

9 **Sec. 3.** Original section 70-1025, Revised Statutes Cumulative
10 Supplement, 2024, and section 70-1506, Revised Statutes Supplement, 2025,
11 are repealed.