

something, and when Senator Robak asked what is reasonable notice, and the court had indicated that it has to be notice calculated to give the people who are involved actual notice of the meeting. It doesn't say that you have to guarantee that every ratepayer who is affected receives actual notice. The method that you employ has to be designed to give actual notice and that would be met if it was adopted as a policy to put these notices in the billing statement, and if one ratepayer actually did not get the notice, that would not be sufficient to say that the method of giving notice was inadequate. You could show that the policy and the method was aimed at getting notice to all those who are affected, and because of the large number, some may say that they didn't get it when they did, some may actually not get it, but such a large number and such a large percentage would have the notice that the interests of all of those in the affected class could be looked after. So I am not asking that NPPD, OPPD, LES or any other power district be required to prove that every ratepayer received actual notice, but what should be avoided is what we have in the present set of circumstances, and I want to see if I can find what the judge said here. On page 11 of his memorandum opinion, the court finds that a single publication in the classified section of the Columbus newspaper with a limited coverage area which, in fact, did not include the City of Norfolk does not fulfill NPPD's obligation to give Nucor reasonable notice and an opportunity to be heard with respect to the rates to be charged Nucor. The notice published in the Columbus Telegram did not contain any specific notice that rate setting was the subject of the board meeting. The publication provided no more than that an agenda could be inspected at general offices in Columbus. So the notice printed in the Columbus Telegram did not even notify the people that rate settings were to be considered. So what I am hoping the body will agree to do is bracket this bill. Now a bracket motion can prevail on a request for unanimous consent. If that fails, then I would have to take a vote. But before asking for unanimous consent, I wanted to make it clear that I am not doing this just to delay the bill, but to delay it in order that we will have an opportunity to try to craft some language that can be reasonable for these power districts but, at the same time, not impinge on a way not foreseen or desired on every other public entity in this state who is subject or that is subject to the open meetings laws. Remember, if this law is passed, you are taking NPPD's current practice and making it the law for every public entity in this state as far as the public meetings law is concerned. So I am going to ask unanimous consent to bracket