

February 10, 1992 LB 307

Negotiations have been ongoing between the two utilities since the last legislative session. And, finally, we've come to a point where there is some agreed upon language in the amendment to LB 307. What the amendment does, essentially, is two things. It, first of all, limits the ability of MUD to condemn property owned by another utility, unless the City of Omaha expands its boundaries and annexes the property that is served by the other utility, at which point MUD would simply take over that service area, because the MUD boundaries are guaranteed to be the city limits of the City of Omaha. The second thing that the legislation does is state that MUD cannot extend or enlarge its service area unless it is economically feasible to do so. This addresses one of the concerns that was raised by People's Natural Gas when they alleged that the expansion of MUD was being done at the expense of the current MUD ratepayers. That is something that I think everyone agrees should not be taking place. This puts language in statute that says that it does have to be economically feasible before MUD can expand, that they couldn't expand simply for expansion sake. These are some amendments, as I said, that have been agreed to by both utilities. Discussions are still ongoing as to what may be a more permanent settlement, that may or may not have to take legislative form. There also is some language in here, some technical language which is conceptually...completely agreed upon that we may be needing, and probably will be needing to bring amendments on Select File to clarify. But I would move the adoption of the amendment at this point.

SPEAKER BAACK: Thank you, Senator Will. Discussion of the amendment offered by Senator Will. Senator Hartnett.

SENATOR HARTNETT: Mr. Speaker, members of the body, I think Senator Will did an excellent job of explaining that this has been kind of an ongoing turf battle, or so forth, between the two parties. And I think we have finally reached an agreement that is amenable to both sides. So I'd ask the body to support the amendment.

SPEAKER BAACK: Thank you, Senator Hartnett. Anyone else wishing to discuss the amendment offered by Senator Will? Seeing no one, Senator Will, do you wish to close on your amendment? Waives closing. We will now vote on the amendment offered by Senator Will. All those in favor vote aye, opposed vote no. We are voting on the amendment by Senator Will. Have you all voted? Record, Mr. Clerk.