

require. Currently, statutorily are those mergers regulated?

SENATOR KRISTENSEN: Those mergers go to the Public Service Commission.

SENATOR BEUTLER: Are they regulated statutorily?

SENATOR KRISTENSEN: I think so. It's my...best I can remember they are. I've not looked at those...

SENATOR BEUTLER: Okay.

SENATOR KRISTENSEN: ...in a couple of years. But, quite frankly, since we don't have a Railway Commission,...

PRESIDENT ROBAK: Time. Thank you, Senator Beutler. Senator Kristensen, your light is next.

SENATOR KRISTENSEN: Thank you. Senator Beutler, I'd like to continue on, but quite frankly we'll have plenty of other time to continue this dialogue. And I'd like to focus the discussion back a little bit to where I think this is. There's a variety of things out here to talk about, and we can talk about regulation of telecommunications. We can talk about a number of things. But let's look at what some of the real facts here are and what I think the Legislature needs to make for policy decisions. One is the issue is not who is going to do the regulations. That still rests with the Legislature, always has. And as the Supreme Court, in LB 835 contest that occurred in the mid-eighties, stated, the real regulators is the Legislature. We are the policymakers, we allow the Public Service Commission to basically carry out the rules and regulations or the policies that we set forth. What Senator Brown proposes to do is to allow the flexibility to change the regulatory face. Procedurally, bodywise maybe you want to make it ten people. Maybe you want to create a group that has a variety of expertise in regulation, and that could be gas, electric, a variety of those things, and she's asking for the flexibility. The issue is we're not getting away from all regulation. We're not dumping it all back in the Legislature to be the regulatory body procedurally. In other words, we're not going to hear all the telephone complaints here. I don't want that. I don't want this Legislature to have to begin to develop expertise in determining what ought to compete in what area of the state.