

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

April 6, 1999

LB 78

SENATOR BEUTLER: Okay. With respect, just using the same SID example again, let's say that the SID went ahead and went with MUD and they put in the MUD pipes and time passes and the homeowners come in and now you have 75 homeowners and, of course, they're all with MUD because they're MUD pipes. And then UtiliCorp, for whatever reason, finds a cheap supply, is more efficient, is able to offer gas more cheaply. Can those 75 homeowners, can they buy their gas and have it come through the MUD pipeline?

SENATOR BRUNING: From UtiliCorp?

SENATOR BEUTLER: Yeah.

SENATOR BRUNING: If there is a deal between the companies, yes, they can transport the gas molecules on each other's pipelines.

SENATOR BEUTLER: Okay.

SENATOR BRUNING: In fact, the SID board could make that choice. MUD would likely charge a fee for that, of course.

SENATOR BEUTLER: Yes. If there is an agreement they can do that, but in order to have agreement would it be accurate to say they both have to agree to agree?

SENATOR BRUNING: Yes.

SENATOR BEUTLER: Okay. So if MUD doesn't want UtiliCorp to sell them...to sell those SID owners the cheaper gas, MUD can keep UtiliCorp out of that whole subdivision. Is that accurate?

SENATOR BRUNING: For awhile. Part of the public policy argument in favor of this bill is...my perception is that Congress, at some point very shortly, will no longer allow one company to prevent another company from using their pipes. For example, in the telecommunications industry, if you and I were to start a company and go into Omaha...

SENATOR CUDABACK: One minute.

SENATOR BRUNING: ...US West would have no choice but to lease