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But what if that doesn't happen? If that doesn't happen, I guess my question would be if we're going to have monopolistic situations and they're going to be there forever, then I would rather have them be there with public companies because at least you can complain through the public boards and at least it's a public process and at least the board members don't have a dual...a dual allegiance. That is, their concern is with the ratepayers only, whereas with a private company in a monopolistic situation they have a dual allegiance. I'm sure they want to provide good service, but they also have to, and first and foremost, have to satisfy the ratepayer. So short term, assuming nothing happens in the future, which you and I think it will, but let's assume for the moment that it doesn't, does this bill have the effect of creating more monopoly?

SENATOR BRUNING: Senator, I harken back to the learned hand balancing test from our legal education and the policy stand...the policy situation here is do we promote what may be a monopolistic situation but, on the other hand, avoid double piping? That's the question here, to me, is the safety issue that's involved. And when I balance those scales I come out on the side of the safety issue because I believe that in the very near future all this...all this pipe will be forced to be leased out and we'll have competition throughout the state. So I think, for the time being, this is a...this is an agreement that benefits the citizens...

SENATOR BEUTLER: Okay.

SENATOR BRUNING: ...because of that overriding concern about safety.

SENATOR BEUTLER: But...but there is another option here from the consumers' point of view, is there not? I mean you could retain the "antiduplicative" structure provision and allow the Public Service Commission to decide without creating any presumptions for anybody and simply allowing your five...five part test to apply. That would be an option anyway, would it not?

SENATOR BRUNING: It would. It would be an option that would require a great deal more study that I hope Senator Hartnett and