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FLOOR DEBATE

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LB 48, 748

characterization. Senator Bourne made a characterization that this was maybe a little bit towards the private...or the public, and LB 48 was more towards the private. Here's where I start my analysis in the whole area. It's stupid to have two pipes running right down next to each other down the street. It's costly. It's dangerous. There's a natural gas leak and you don't know which pipe is causing the leak. It means more easements. It means more ripping up of front lawns. It means more street closings. It means more lost business. The stupidest thing you can have is to have two sets of infrastructure that are not redundant for a purpose but are competitive infrastructures. And you know what? We've had them in this state, last state practically in the country to allow it, but if you take a look at the maps that are over here on this table we have repetitive, redundant, duplicative infrastructure. It's costly enough to pay for infrastructure once, isn't it, than to have ratepayers pay for it twice? That's why you need to have a right of way system to decide who gets to run the pipes, and we don't have one, particularly, in this state right now, and the most critical problem is when a public and a private abut each other. LB 748 basically says if you're a city owned or a MUD, you can go any place you want to, whether you're beyond your city or your jurisdiction or not. Doesn't make a difference; you get to go. Now, we give cities, under state law, an exemption. We don't regulate them because the voter in the city controls the municipality, they control the system. But what happens when they get to grow beyond their zoning jurisdiction and get to go wherever they want to go? Who controls them then? The answer is only the voters in the city, and LB 748 stands essentially for the proposition that municipal and MUD gets to go anywhere they want to go, even though their self-regulator, the voter, is only in the core area that they serve. But they get to go in other areas where the people that are getting the natural gas have nobody that they get to vote for that regulates the natural gas provision that they have. That's wrong. What we need to do is, I think it seems...it seems fair to Senator Bourne, to adopt his amendments and to put the bill in the form he wants us to discuss it, but at the heart of it is that problem. There is no attempt to be rational with respect to double piping. What there is, is advantage seeking by the public sector providers of natural gas with no area of