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LB 748

back to what the first principles are for people who don't do that, so let me see if I can get to three principles. Look, here's the system that we now have. It's state regulation. We replaced the last local regulation system in the country, so we're behind other states. We went to state regulation last year; worked well, by the way. We did a rate increase for about \$200,000 bucks. It was a negotiated settlement and all parties were pretty darn happy about it. It worked well this last year, but we left something undone--who gets the right of way to serve in various territories? Let it undone because we couldn't figure out something that everybody could live with last year. Here are the three principles I think that ought to govern, after having done this for hundreds of hours. City systems ought to get the right of way inside the city and the zoning jurisdiction, because that's where they're going to grow. They ought to get the right of way. Their system, if they've got a city owned system, their system should have the right of way and a public...and a private should not go into that territory. And if a city wants to grow and expand its borders, it ought to be able to either buy--willing buyer, willing seller--condemn, or ignore private companies so that it can control its own fate; neutral principle number one, good for cities, better than they get in most jurisdictions. It is a good thing for cities. Secondly, private companies ought to get where they are now. They ought to have a map and where they are now they're entitled to and people shouldn't run into their territory and compete with them because it's best to have one system of pipes, not two. Draw the maps up of where we are now and give the people who are there now the right to stay there, unless they're condemned by a local city; neutral principle number two, good for the privates, generally. It's followed in 39 other states. It's because we're late coming here. It's a neutral principle that's a standard regulatory form so you don't have multiple pipes. Third principle: Where you don't have pipes yet, where there is no private and there is no public, where you've got no man's land, take it to the Public Service Commission and use the tool that we have on the books in which we run five criteria through a system to determine the public interest, and do it before you run a pipe; neutral principle, good for both parties. LB 748 violates every one of those principles. First, it does not say that you get the territory where you are now. It gives