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unless Papillion asks them.

SENATOR CUDABACK: Time, Senator Thompson. Thank you, Senator Thompson. (Visitors introduced.) On with discussion. Senator Friend.

SENATOR FRIEND: Thank you, Mr. President. Again, members of the Legislature, when I started...when I started speaking this morning, I spoke to what I believed, and I'm not sure anybody at this point probably wants to give it much weight or cares, but if you bear with me, what I thought was the solution or what I believe could be a solution to dealing with an issue like this. We have two options out here, but let me...let me talk to you about an option that people thought about, you know, back in the late nineties and implemented. LB 78, which is now Nebraska Revised Statute 57-1301, here's what it does. In counties where a municipal utilities district and an investor-owned natural gas utility, both, serve or are attempting to serve, neither entity may extend or enlarge its natural gas mains unless it is in the public interest to do so. Here are the criteria, I guess, that must be considered in determining whether that extension is in the public interest: economic feasibility of the extension or the enlargement; impact on existing and future ratepayers; whether the extension or enlargement contributes to the orderly development of natural gas utility infrastructure; whether the extension or enlargement will result in duplicative or redundant natural gas utility infrastructure; and whether the extension or enlargement is applied in a nondiscriminatory manner. Now, guess who hears that information right now. It's the Public Service Commission. In 2001, this Legislature commissioned a report. EFR Limited put it out. In the executive summary, just let me read a few things into the record here: Alternatively, the report recommends a state regulatory board be established. This agency should not have...should have not only traditional regulatory powers over revenues and rates, service and terms and conditions of service, it should be authorized to deal with the changing gas supply. Further, this report does not endorse this assignment of natural gas regulatory authority to any given part of Nebraska state government. Equal consideration should be given to setting up a new agency to regulate Nebraska gas utilities, versus assigning the task to an existing agency.