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LB 748

SENATOR FRIEND: Thank you.

SENATOR CUDABACK: On with discussion, the motion to recommit to committee. Senator Smith, followed by Senator Landis and others. Senator Smith, did you wish to be recognized? We will pass over Senator Smith. Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. I'll see if I can lower my voice, and then we can all lower our voices. How about that? (Laughter) Two parts to the point that I want to make. Senator Bourne said that LB 748 does not undo the problem of double piping that I think is created, that in fact it leaves us essentially where we are now, or that we have authority. I want to read you two sections of LB 748. One of them says this: "A natural gas utility owned or operated by a city or a metropolitan utilities district shall not be subject to the provisions of the State Natural Gas Regulation Act and the commission shall have no authority under the act over such a natural gas utility or metropolitan utilities district"-- no regulation whatsoever by the PSC; total blanket immunity. Okay? That's one provision. Now, let's take a look at existing law, because this section is not covered by the PSC. It's what we now call our LB 78. It's this tool that we identified when we saw all of this double piping going on that appears on this map in Sarpy County, to try to stop it, where the two complaining parties could take it to the Public Service Commission, not under the natural gasses act, but because of the law that we passed. Here's what the bill has to say about that: Sections 57-1303--this is the LB...old LB 78--shall be applicable to an investor-owned natural gas utility only when it is operating in a county in which there is located the natural gas service area, blah blah blah blah, and to a metropolitan utilities district only with regard to matters arising under any such county, comma, except that such sections shall not apply to a natural gas main extension connecting a border...a town border station to an existing natural gas distribution system--a one-sided exemption for MUD, for any of their town border systems. And, with the section that Senator Bourne is now asking for you, adjacent to any facility, the bill now would say, you can put a town border