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LB 1249

SENATOR CUNNINGHAM: Senator Friend, I've gotten a few e-mails from some communities in my district, stating that they'll have no choice if this bill passes. I mean, I don't see how they have any choice if it does or does not pass. Would that be true?

SENATOR FRIEND: Well, Senator, if I understand your question in the context that you mean it, let me give you a hypothetical. Let's take a community--and we were using this earlier with Arlington and...in Washington County, with Arlington and Fremont. Let's use that as an example.

SENATOR CUNNINGHAM: Okay.

SENATOR FRIEND: Let's say Arlington and Fremont got together and said...well, you know, they're growing together; I mean, Fremont is growing like a weed--I don't know if it is, but let's say it is--and Arlington is moving in that direction, and they said, we need to pool some resources here. We need to, you know, work this out for whatever reason, and they start, you know, working out the franchise agreement. There are eminent domain issues involved, and there are...one or the other of those municipal--I don't know if Arlington has got a municipal, I don't think they do. Let's say Fremont was doing it. They're going to have to go in and claim eminent domain, and they're going to have to condemn those pipes, and then next thing you know, you've got a franchise agreement. I mean, make no mistake, Senator Cunningham, the point to this is, this is not a free market economy the way it is right now. So there isn't that much choice in some of these communities as to what they're going to do and what they're going to be able to accomplish, as far as these franchise agreements. So the point is, there are guidelines, there are rules, there are things that they can accomplish, and the PSC understands this, and these communities understand this. They know what they can do.

SENATOR CUNNINGHAM: Well, would it be true...is most of the problem in the Omaha area; is that where the problem is?

SENATOR FRIEND: Senator, that's the point that I've been trying to make from the very beginning, is that the big concern and the