

AMENDMENTS TO LB 1066

Introduced by Natural Resources.

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 70-1014.01, Reissue Revised Statutes
4 of Nebraska, is amended to read:

5 70-1014.01 (1) An application by a municipality, a
6 registered group of municipalities, a public power district, a
7 public power and irrigation district, an electric cooperative,
8 an electric membership association, or any other governmental
9 entity for a facility that will generate not more than ten
10 thousand kilowatts of electric energy at rated capacity and
11 will generate electricity using solar, wind, biomass, landfill
12 gas, methane gas, or hydropower generation technology or an
13 emerging generation technology, including, but not limited to,
14 fuel cells and micro-turbines, shall be deemed a special generation
15 application. Such application shall be approved by the board
16 if the board finds that ~~(1)~~ (a) the application qualifies as
17 a special generation application, ~~(2)~~ (b) the application will
18 provide public benefits sufficient to warrant approval of the
19 application, although it may not constitute the most economically
20 feasible generation option, and ~~(3)~~ (c) the application under
21 consideration represents a separate and distinct project from any
22 previous special generation application the applicant may have
23 filed.

1 (2) An application by a municipality, a registered
2 group of municipalities, a public power district, a public power
3 and irrigation district, an electric cooperative, an electric
4 membership association, or any other governmental entity for a
5 facility that will generate more than ten thousand kilowatts of
6 electric energy at rated capacity and will generate electricity
7 using renewable energy sources, such as solar, wind, biomass,
8 landfill gas, methane gas, or hydropower generation technology,
9 or an emerging technology, including, but not limited to, fuel
10 cells and microturbines, may be filed with the board if (a) the
11 total production from all such renewable projects, excluding sales
12 from such projects to other electric-generating entities, does not
13 exceed ten percent of total energy sales as shown in the Annual
14 Electric Power Industry Report to the United States Department of
15 Energy and (b) the power supplier's governing body conducts at
16 least one advertised public hearing which affords the ratepayers of
17 the producing entity a chance to review and comment on the subject
18 of the application.

19 (3) The application shall be approved by the board if
20 the board finds that (a) the applicant is using renewable energy
21 sources referred to in subsection (2) of this section, (b) that the
22 total production from all renewable projects of the power supplier
23 does not exceed ten percent of the power supplier's total energy
24 sales as described in subsection (1) of this section, and (c)
25 the power supplier's governing body has conducted at least one
26 advertised public hearing which affords its ratepayers a chance to
27 review and comment on the subject of the application.

- 1 Sec. 2. Original section 70-1014.01, Reissue Revised
- 2 Statutes of Nebraska, is repealed.