

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION  
2008**

**COMMITTEE STATEMENT**

**LB1138**

---

**Hearing Date:** February 01, 2008

**Committee On:** Natural Resources

**Introducer(s):** (Dierks)

**Title:** Change approval provisions relating to electric generation facilities

---

**Roll Call Vote - Final Committee Action:**

Indefinitely Postponed

---

**Vote Results:**

6 Yes                      Senators Carlson, Christensen, Dubas, Fischer,  
   Louden, Wallman

0 No

2 Absent

0 Present, not voting

Senators Hudkins, Kopplin

---

**Proponents:**

Senator M.L. Dierks

Ken Winston

Robert Byrnes

John K. Hansen

**Representing:**

Introducer

Nebraska Chapter, Sierra Club

Nebraska Renewable Energy Systems

Nebraska Renewable Energy Association

Nebraska Farmers Union

**Opponents:**  
John McClure

**Representing:**  
Nebraska Power Association

**Neutral:**  
Tim Texel

**Representing:**  
Nebraska Power Review Board

---

**Summary of purpose and/or change:**

LB 1138 does the following:

- Section 1 (2) Provides new criteria for the Power Review Board to approve an application for a generation facility using a renewable energy source. The criteria are:
- (i) reduction of pollution;
  - (ii) water conservation;
  - (iii) displacement of domestic nonrenewable fuel sources; or
  - (iv) economic advantage to the rural economy; and

The benefits must outweigh the need for the findings under current law without causing the need for a significant increase in the applicant's wholesale or retail electric rates. (Current law requires the board to find that the application will service the public convenience and necessity, and that the applicant can most economically and feasibly supply the electric service without unnecessary duplication of facilities or operations.)

Defines a renewable energy source as a facility that uses wind, solar, landfill gas, methane, geothermal energy, fuel cells or biomass as its fuel source.

Section 2 Repealer.

**Explanation of amendments, if any:**

None

\_\_\_\_\_  
Senator LeRoy Loudon, Chairperson