



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 705

Chairperson: LeRoy Louden
Committee: Natural Resources
Date of Hearing: February 7, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

All applications for construction or acquisition of an electric generation facility must be filed with the Nebraska Power Review Board. The Board is authorized to approve the application if it finds that:

1. the application will serve the public convenience and necessity; and
2. the applicant can most economically and feasibly supply the electric service resulting from the proposed construction or acquisition without unnecessary duplication of facilities and operations.

In 2003, the Legislature created in statute a special class of facility application that is treated as a “special generation application” for purposes of review and approval by the Board. A “special generation application” is defined as:

1. an application from a public utility;
2. for a renewable energy generation facility;
3. that would generate not more than ten thousand kilowatts (10 megawatts) of electric energy.

A “special generation application” that meets these requirements can be approved by the Board if the Board determines that the application will provide public benefits even though it may not constitute the most economically feasible generation option.

LB 705 would expand the size of renewable energy facility that is eligible for treatment as a special generation application from ten thousand kilowatts (10 megawatt) to twenty-five thousand kilowatts (25 megawatts). Increasing the size to 25 megawatts provides further encouragement to our public power utilities to develop renewable energy facilities – particularly wind energy.

Principal Introducer: _____
Senator M.L. Dierks