

**ONE HUNDRED FIRST LEGISLATURE - FIRST SESSION - 2009**  
**COMMITTEE STATEMENT**  
**LB471**

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**Hearing Date:** Thursday February 19, 2009  
**Committee On:** Natural Resources  
**Introducer:** Fulton  
**One Liner:** Change public power special generation application provisions

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	7	Senators Carlson, Cook, Dubas, Haar, Langemeier, McCoy, Schilz
<b>Nay:</b>		
<b>Absent:</b>	1	Senator Fischer
<b>Present Not Voting:</b>		

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**Proponents:**

Senator Tony Fulton  
Shelley Sahling-Zart  
Ken Winston  
Mary Harding  
David Levy

**Representing:**

Introducer  
Lincoln Electric System, Nebraska Power Association  
Nebraska Sierra Club  
Nebraska League of Conservation Voters  
Midwest Wind Energy

**Opponents:**

Kristen Gottschalk  
Robert Byrnes  
John K. Hansen

**Representing:**

Nebraska Rural Electric Association  
Nebraska Renewable Energy Association  
Nebraska Farmers Union

**Neutral:**

Bart Ford  
Tim Texel

**Representing:**

Tenaska  
Nebraska Power Review Board

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

LB 471 will allow the Power Review Board to consider applications from government entities for renewable energy electric facilities.

Section 1 amends 70-1014.01, relating to approval criteria for special electric generation applications, by allowing the filing of an application with the Power Review Board by a governmental entity for a facility that will generate more than 10,000 kilowatts of electric energy using renewable energy sources, including solar, wind, biomass, landfill gas, methane gas, or new hydropower generation or other emerging technology. Application must show that total production does not exceed 10% of the total energy sales indicated in the "Annual Electric Power Industry Report to the United States Department of Energy" and the applicant's governing body must hold one advertised public hearing.

The board is to approve the application if: renewable energy sources are used, total production from all renewable projects of applicant does not exceed 10% of total energy sales, and the governing body has held at least one advertised public hearing.

The bill also allows a C-BED, renewable energy project for sale to a Nebraska electric utility to make an application to the board as long as the utility conducts a public hearing and the power and energy from the renewable energy sources is sold exclusively to a utility for a term of at least 20 years.

Section 2 repeals the original section.

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Chris Langemeier, Chairperson