



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 181

Chairperson: Deb Fischer
Committee: Transportation and Telecommunications
Date of Hearing: February 9, 2009

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

LB 181 authorizes the Public Service Commission to resolve wire-crossing disputes between railroads and telecommunications carriers

The bill requires a telecommunications carrier who wants to place a wire, line, or cable across a railroad right-of-way to negotiate with the railroad and come to a binding agreement. If no agreement can be reached within sixty days of receipt of the application, either party may petition the Public Service Commission to hold a hearing on the disputed terms and conditions. The Commission shall consider whether the terms are unreasonable or against the public interest, but in no case may the Commission consider the safety, engineering, or access requirements of the railroad.

The bill requires the telecommunications carrier to pay a one-time standard crossing fee of \$1250 to the railroad. This fee will be in lieu of any direct expenses incurred as a result of the placement of the wire.

Principal Introducer: _____
Senator Deb Fischer