

**ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011**  
**COMMITTEE STATEMENT**  
**LB220**

---

**Hearing Date:** Monday February 07, 2011  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Fischer  
**One Liner:** Change appeal procedures of the Public Service Commission

---

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

---

**Vote Results:**

**Aye:** 8                      Senators Campbell, Dubas, Fischer, Hadley, Janssen, Lautenbaugh,  
Louden, Price

**Nay:**

**Absent:**

**Present Not Voting:**

---

**Proponents:**

Dusty Vaughan  
Jerry Vap  
Eric Carstenson

**Representing:**

Introducing for Senator Deb Fischer  
Public Service Commission  
Nebraska Telecommunications Association

**Opponents:**

Andy Pollock

**Representing:**

Nebraska Natural Gas Association

**Neutral:**

**Representing:**

---

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

LB 220 gives original jurisdiction of an appeal from a Public Service Commission order to the Court of Appeals. Current law requires an appeal from a Commission decision to be in accordance with the Administrative Procedure Act (APA). The APA requires an appeal to originate in the district court of the county where the action was taken. The bill amends all sections pertaining to the Commission's jurisdiction for issuing a seal, entering an order, or imposing a fine. All appeals from a Commission decision shall now be appealed to the Court of Appeals. In addition, the bill amends Sec. 75-134 so that an appeal of a Commission order shall stay enforcement of such order. In effect, the order shall not be carried out until a decision is made by the Court of Appeals.

---

\_\_\_\_\_  
Deb Fischer, Chairperson