

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 340**

Introduced by Natural Resources Committee: Carlson, 38, Chairperson;  
Brasch, 16; Johnson, 23; Kolowski, 31; Schilz, 47.

Read first time January 18, 2013

Committee: Natural Resources

A BILL

- 1 FOR AN ACT relating to public power; to amend section 70-1013,
- 2 Revised Statutes Cumulative Supplement, 2012; to change a
- 3 hearing requirement; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 70-1013, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3                   70-1013 Upon application being filed under section  
4 70-1012, the board shall fix a time and place for hearing and shall  
5 give ten days' notice by mail to such power suppliers as it deems to  
6 be affected by the application. The hearing shall be held within  
7 sixty days unless for good cause shown the applicant requests in  
8 writing that such hearing not be scheduled until a later time, but in  
9 any event such hearing shall be held not more than one hundred twenty  
10 days after the filing of the application and the board shall give its  
11 decision within sixty days after the conclusion of the hearing. Any  
12 parties interested may appear, file objections, and offer evidence.  
13 The board may grant the application without notice or hearing, upon  
14 the filing of such waivers as it may require, if in its judgment the  
15 finding required by section 70-1014 or 70-1014.01 or subdivision (2)  
16 (a) of section 70-1014.02 can be made without a hearing. Such hearing  
17 shall be conducted as provided in section 70-1006. The board may  
18 allow amendments to the application, in the interests of justice.

19                   Sec. 2. Original section 70-1013, Revised Statutes  
20 Cumulative Supplement, 2012, is repealed.