

**ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020**  
**COMMITTEE STATEMENT**  
**LB933**

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**Hearing Date:** Thursday February 13, 2020  
**Committee On:** Natural Resources  
**Introducer:** Crawford  
**One Liner:** Change provisions relating to discontinuance of utility service

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	6	Senators Bostelman, Geist, Gragert, Halloran, Hughes, Quick
<b>Nay:</b>	1	Senator Moser
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Albrecht

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**Oral Testimony:**

**Proponents:**

Senator Sue Crawford  
Trisha Thompson  
Kathy Kay  
Mary Spurgeon  
Karen Bell-Dancy  
Jeff Eastman  
Ken Winston  
Ashley Frevert  
Rev. Penny Greer  
Isabel Salas  
  
Michael O'Hara  
Tonya Ward  
Michael Ward

**Representing:**

Introducer  
Nebraska Appleseed  
League of Human Dignity  
self  
YWCA of Lincoln  
Legal Aid of Nebraska  
Legal Aid of Nebraska  
Community Action of Nebraska  
Nebraska Interfaith Power and Light  
South of Downtown Community Development  
Organization  
Sierra Club of Nebraska  
Energy Rescue, Inc  
self

**Opponents:**

**Representing:**

**Neutral:**

Lash Chaffin  
Kristen Gottschalk  
Shelley Sahling-Zart

**Representing:**

League of Nebraska Municipalities  
Nebraska Rural Electric Association  
Lincoln Electric System

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

LB 933 would amend two sections of statute relating to utility disconnections and reconnections by putting a limit on fees utilities may charge for disconnection or reconnection, expanding disconnection postponement options for households containing an individual with an illness or handicap that would be worsened by disconnection, extending the postponement period for these households, and requiring utilities to post certain information about their disconnection and reconnection policies and fees online.

Section-by-Section Summary:

Section 1 would amend section 70-1605 by limiting the fees a utility may charge for disconnection or reconnection to the reasonable cost incurred by the utility for disconnecting or reconnecting the customer.

Section 2 would amend section 70-1606 by making the following changes:

- Requiring that disconnection shall, rather than may, be postponed upon filing of a certification from a licensed physician or certain other health professional that a customer has an illness or handicap and would suffer an immediate and serious health hazard by disconnection of service;
- Allowing for a certificate from a licensed physician, physician assistant, or advanced practice registered nurse to be used. Previously, only a certificate from a licensed physician could be used;
- Excluding holidays and weekends from the five (5) day period for filing and illness or handicap certificate;
- Extending the disconnection postponement period for certified illness or handicap households from thirty (30) days to at least sixty (60) days;
- Requiring, rather than allowing, one postponement of disconnection for an certified illness or handicap household;
- Requiring a utility, excluding one operated by a village, to post on its website and upon request, to deliver by mail, the following information about disconnection and reconnection:
  - The utility's contact information;
  - Details about the subscriber's right to have a pre-disconnection conference to dispute the disconnection;
  - That the utility may not disconnect service pending a conference;
  - Details about the potential for postponement or prevention of disconnection using a physician, physician assistant's, or advanced practice registered nurse's certification;
  - Fees charged for restoration of service;
  - That a subscriber may arrange for an installment payment plan;
  - Details about resources available for welfare recipients, and that welfare recipients should contact their caseworker when faced with potential disconnection;
  - Other consistent information as decided by the utility's board.

Section 3 would repeal the original sections.

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**Explanation of amendments:**

AM 2394 strikes the sixty (60) day period for postponement of disconnection and reinstates the previous thirty (30) day limit.

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Dan Hughes, Chairperson