

LEGISLATIVE BILL 340

Approved by the Governor April 3, 2013

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

FOR AN ACT relating to public power; to amend section 70-1013, Revised Statutes Cumulative Supplement, 2012; to change a hearing requirement; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

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

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

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 Original section 70-1013, Revised Statutes Cumulative Supplement, 2012, is repealed.