

business the small muny plant. As Senator Clark stated, their cost of operation would be too high for the Power Review Board to allow them permission to replace...to replace their existing plant. The Fowler amendment is a continuity as we change from small plants, as we change from small municipal plants to the 100, 600, 1000 megawatts plants, atomic and coal. It's going to take a while to get that done, and this amendment allows those people that have invested and want to continue their investment to operate their own light plant to do just that. This amendment complements those people, and those communities that do their own thing, and we should continue, we should encourage that. By the same token, this amendment forces complete approval and coordination of generating facilities for public power in the State of Nebraska through the Power Review Board, which is very proper, and this is what we're talking about, those that are existing can replace, so that they can keep right on doing what they've been doing. If they're going to expand, if they're going to get into the municipal power pool, or if they're going to sell this power wholesale, they've got to line up and be coordinated. I strongly urge that we all support this amendment.

SPEAKER MARVEL: Senator Schmit. Senator Duis.

SENATOR DUIS: Mr. President and members of the Legislature, I oppose this amendment, and do it for a reason here because actually I don't even like the wording of it. It says here such a facility is being constructed to replace a generating plant owned by the municipality with a capacity not greater than that of the plant being replaced. Well, what would we do here if they had two generators and one went out and they knew they needed a little more capacity, and then they found out they couldn't do it? It bothers me. I..the point is, I don't know why we need that (a) under there. It may be possible we need (b) and (c), but is there any particular reason, Senator Fowler, if I may ask you, for the (a) section?

SPEAKER MARVEL: Did you direct a question, Senator...

SENATOR DUIS: Yes, I did. I was wondering what the particular reason was for the (a) part of this amendment.

SENATOR FOWLER: The reason for the (a) part of the amendment is simply that if they're replacing existing capacity, they don't have to go to the Power Review Board, but any sort of growth has to be reviewed by the Power Review Board, and that's why we said no greater than what is the current capacity. Again, I stress that it doesn't mean that the plant can't be built. Now everybody seems to think that the Power