



Ninety-Seventh Legislature - First Session - 2001
Introducer's Statement of Intent
LB 463

Chairperson: Senator Curt Bromm
Committee: Transportation and Telecommunications
Date of Hearing: January 30, 2001

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 463 provides that no public power district shall subsidize the provision of dark fiber on a commercial basis through rates charged to electric and irrigation water service customers.

LB 463 specifically prohibits state agencies and political subdivisions of the state from providing retail (acting as a common or contract carrier) telecommunications services in Nebraska. A public power district may, on a wholesale basis only, lease dark fiber to a telecommunications company that possesses authority to engage in business in this state. The district must form a separate subsidiary under the laws of this state. The separate subsidiary shall be subject to taxation and shall pay the district, at fair market value, for any services, personnel, assets, facilities, or infrastructure of the district utilized by the separate subsidiary.

LB 463 also requires that a lease of dark fiber by a public power district fiber subsidiary shall not be effective until the Public Service Commission (PSC) has determined that certain requirements have been met. The PSC will also be required to determine that the lease of this dark fiber is in the public interest, that the lease promotes competitive telecommunications markets in Nebraska, and that the lease is nondiscriminatory and nonpreferential.

Principal Introducer: _____
Senator Douglas A. Kristensen