

Proposed Initiative Petition Language to Amend Nebraska Statute:

A BILL FOR AN ACT relating to telecommunications; to authorize public power companies to provide all forms of telecommunications services; to define terms; and to harmonize provisions.

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

Section 1. (1) In addition to all other power and authority granted by law and to the extent not in conflict with federal law, public power companies are authorized to provide all forms of telecommunications, including, but not limited to telephone, cable, broadband, Internet, data transmission, and information services, for a fee on a wholesale or retail basis to customers within their service areas. Public power companies shall have such additional powers as are necessary and proper for carrying into execution the powers provided in this subsection, specifically including, but not limited to, the power to construct, operate, and maintain facilities for transmissions between their service areas and other service areas or public or private telecommunications networks and to enter into agreements, partnerships, or other arrangements with private and public entities for the provision of services.

(2) for purposes of this section:

- (a) Public power company means any of the following entities formed under Nebraska law, acting independently or in cooperation with another public power company: A public power district, a municipal electric utility, a rural power district, a public power and irrigation district, and electric cooperative corporation, or any public body, authority, or commission, municipality, joint entity formed under the Interlocal Cooperation act, joint public agency formed under the Joint Public Agency Act, or agency formed under the Municipal Cooperative Financing Act which has the authority to engage in or franchise the generation, transmission, transformation, distribution, or sale of electric power and energy; and
- (b) Service area means that geographic area where a public power company provides electric power on a wholesale or retail basis;
- (3) Nothing in this section shall require a public power company to provide telecommunication services.
- (4) The prohibitions of section 86-594 and 86-595 shall not apply to services provided by a public power company under this section.

Use Public Power Committee

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