

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1369

Introduced by Cavanaugh, J., 9.

Read first time January 17, 2024

Committee:

- 1 A BILL FOR AN ACT relating to renewable energy; to define terms; and to
- 2 provide for interconnection between a local distribution system and
- 3 an agricultural self-generation facility as prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Agricultural or horticultural purposes has the same meaning as
3 in section 77-1359;

4 (b) Agricultural self-generation facility means a facility for the
5 production of electricity that:

6 (i) Uses methane, wind, solar, biomass, hydropower, or geothermal
7 resources as its energy source;

8 (ii) Is controlled by the owner-generator and located on premises
9 owned, leased, or otherwise controlled by the owner-generator and used
10 for agricultural or horticultural purposes;

11 (iii) Has a rated capacity of one hundred Kilowatts or less;

12 (iv) Utilizes a device which prevents any backfeed of electricity to
13 the local distribution system; and

14 (v) Is not used for purposes of net metering;

15 (c) Interconnection means an interconnection between an agricultural
16 self-generation facility and a local distribution system so that such
17 facility and such system operate in parallel with each other;

18 (d) Local distribution system means the equipment and facilities
19 used by a local distribution utility to distribute electricity to end-use
20 customers;

21 (e) Local distribution utility means the owner or operator of a
22 local distribution system. A local distribution utility includes a public
23 power district, a public power and irrigation district, an electric
24 cooperative, or a municipal electric system;

25 (f) Net metering has the same meaning as in section 70-2002; and

26 (g) Owner-generator means the person controlling an agricultural
27 self-generation facility.

28 (2) No local distribution utility shall deny or refuse
29 interconnection between its local distribution system and an agricultural
30 self-generation facility. An owner-generator is subject to the
31 interconnection requirements, electric rates and charges, and service

1 agreement requirements of the local distribution utility in whose service
2 area the agricultural self-generation facility is located. Nothing in
3 this subsection shall be construed to prohibit a local distribution
4 utility from recovering its costs to provide interconnection to an owner-
5 generator.