

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 657

Introduced by Wayne, 13.

Read first time January 18, 2017

Committee:

- 1 A BILL FOR AN ACT relating to public power; to adopt the Retail
- 2 Electricity Transparency Act.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 7 of this act shall be known and may be
2 cited as the Retail Electricity Transparency Act.

3 Sec. 2. The Legislature finds and declares that:

4 (1) Since Nebraska is a completely public power state, it is vital
5 that the customer-owners of public power be provided information about
6 their electric bills that will enable them to be informed participants in
7 the governance of their respective public power districts. It is the
8 intent of the Legislature that retail electric suppliers provide more
9 detailed and specific billing information to their customer-owners
10 whenever possible;

11 (2) The customer-owners of public power need transparency about the
12 components of their electric bills because they have no choice about
13 their source of electricity, there is no electric rate state review
14 process in the State of Nebraska, and customer-owners have limited
15 ability to challenge rate increases;

16 (3) Customer-owners of public power need to be able to make informed
17 decisions about representation on the boards of their respective public
18 power districts; and

19 (4) Nebraska's retail electric rates have increased by one of the
20 highest percentages in the nation from 2006 to 2016, and customer-owners
21 of public power should be provided information explaining the reasons for
22 these rate increases.

23 Sec. 3. On or before July 1, 2018, every retail electric supplier
24 in the state shall provide unbundled and transparent billing to all their
25 Nebraska retail customer-owners as set forth in the Retail Electricity
26 Transparency Act.

27 Sec. 4. Every bill from a retail electric supplier to a retail
28 customer-owner shall provide separate charges for energy, generation,
29 transmission, and distribution of electricity, including the following,
30 when applicable:

31 (1) A charge for kilowatt-hour use of electricity using the average

1 market price or costs to purchase electricity during the billing period;

2 (2) A charge for generation based on kilowatt-hour use that covers
3 the physical infrastructure needed to generate electricity;

4 (3) A charge for transmission based on the cost to transmit
5 electricity from generation sources to distribution facilities, including
6 physical infrastructure needed to transmit electricity;

7 (4) A charge for distribution based on the cost to transmit
8 electricity from the transmission system to the retail customer-owner.
9 This charge includes power lines, transformers, trucks, labor, overhead,
10 and other costs to deliver electricity to the retail customer-owner;

11 (5) A meter service charge which is a flat service fee covering
12 administrative costs, including billing, postage, software, and other
13 overhead costs;

14 (6) Any charges for sustainable energy, renewable energy, energy
15 efficiency, or other similar programs;

16 (7) A decommissioning fee charge to cover the cost of removing
17 generation from service;

18 (8) A demand charge based on the rate of electricity used at a given
19 instance during the billing period; and

20 (9) Any special assessment charge describing each special
21 assessment.

22 Sec. 5. (1) Every bill from a retail electric supplier to a retail
23 customer-owner shall provide the following:

24 (a) An account number;

25 (b) The date on or before which payment is due and must be made to
26 avoid delinquency;

27 (c) The total amount due, including any delinquent charges;

28 (d) Additional charges for security deposits, collection, connection
29 or disconnection, and installment payment or other charges that may be
30 authorized by the governing body of the public power district;

31 (e) Franchise taxes and sales taxes;

1 (f) The beginning and end date of the service period;

2 (g) The meter identification number and date of meter reading. If
3 the reading is estimated, the bill shall provide a clear statement
4 indicating that it is estimated;

5 (h) The actual or estimated energy usage during the billing period;

6 (i) Any adjustment to previous billings; and

7 (j) The address, telephone number, web site address, and
8 identification of the person or office where a customer-owner may report
9 a disputed bill or make inquiry or complaint.

10 (2) When new rates are implemented, the retail electric supplier
11 shall provide general information to customer-owners through bill inserts
12 or direct mail explaining changes in rates and any customer charges.

13 Sec. 6. Any retail customer-owner may bring an action before the
14 Public Service Commission seeking enforcement of the Retail Electricity
15 Transparency Act. The commission shall have exclusive original
16 jurisdiction over any action concerning a violation of any provision of
17 the Retail Electricity Transparency Act.

18 Sec. 7. The Public Service Commission may adopt and promulgate
19 rules and regulations to carry out the purposes of the Retail Electricity
20 Transparency Act.