

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1369**

Introduced by Cavanaugh, J., 9.

Read first time January 17, 2024

Committee: Natural Resources

- 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.