

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application) Application No. E-2199
of Niobrara Valley Electric)
Membership Corporation, O'Neill,)
seeking authority to construct,) GRANTED
operate and maintain an electric)
transmission line in Holt)
County.) Entered: September 23, 2008

BY THE COMMISSION:

Niobrara Valley Electric Membership Corporation (Applicant), O'Neill, by its application filed September 11, 2008, seeks authority to construct, operate and maintain an electric transmission line Holt County, having a voltage in excess of 700 volts.

Applicant proposes to construct .32 mile, 3 phase, 4 wire underground, 7.2/12.5 kv, Wye connected, multigrounded electric line in Holt County.

And to retire .32 mile of existing 3 phase, 4 wire, 12.47 kv, electric line in Holt County.

O P I N I O N A N D F I N D I N G S

The Commission finds that:

1. Applicant has filed Route Map W.O. 13055 (Exhibit A), which shows the route of the proposed line, the side of the roadway to be occupied and the location and ownership of all utilities that may be in conflict, crossed or paralleled by the proposed line.

2. Applicant has filed Specifications (Exhibit B), which will govern this electric line construction and have sufficient details to portray the type and manner of the construction for the proposed line.

3. In the construction, operation and maintenance of the proposed electric transmission line, applicant will conform to the requirements of the latest edition of the National Electric Safety Code, the laws of the state of Nebraska and the Rules and Regulations of the Commission.

4. The Nebraska Department of Aeronautics has filed a letter waiving objections to the proposed line.

5. According to the application, there are no utilities that may be affected by the construction and operation of the electric line proposal.

6. According to the application and the Nebraska Department of Aeronautics, there is one licensed airports which will be affected by the construction and operation of the electric line proposed herein:

O'Neill Municipal Airport, O'Neill

7. Applicant has filed the document showing the consent of the involved party.

The Commission, having considered the filings in this matter and being fully advised in the premises, is of the opinion and finds that this application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. E-2199 be granted and that Niobrara Valley Electric Membership Corporation, O'Neill, be, and it is hereby, authorized to construct, operate and maintain the proposed electric transmission line in Holt County, in accordance with its application, Route Map (Exhibit A) and Specifications (Exhibit B), which by this reference are made a part hereof, all subject to the rules and regulations of this Commission and to the terms and conditions of the waiver filed with this application.

IT IS FURTHER ORDERED that an immediate supplemental application be made if it develops that the line will not be built in its entirety in accordance with the Commission's order. A supplemental application is required for any and all changes in line routing, voltage and/or design.

IT IS FURTHER ORDERED that if the construction authorized in this order will not be entirely completed within 24 months of the date of this order, applicant shall apply for an extension of time to complete the authorized construction showing good cause for such extension.

IT IS FURTHER ORDERED that a completion notice shall be filed with this Commission as soon as the proposed line has been completed and are ready to be energized. With this completion notice, there should be a report of any line authorized, which were not built.

MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of September, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

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MADE AND ENTERED at Lincoln, Nebraska, this 23rd day of September, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald L. Up
Tim Schram

//s// Anne C. Boyle
//s// Frank E. Landis

Anne C. Boyle
Chair

ATTEST:

Theresa J. [Signature]
Executive Director