



Nebraska Farmers Union

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LB1261 is Short on Transparency and Long on Unanswered Questions

LINCOLN, NE – Nebraska Farmers Union (NeFU), an original supporter of creating Nebraska’s public power system says LB1261 presents a dramatic change in how our state generates and serves unprecedented large electrical load customers. NeFU lists nine reasons why LB1261 should not go forward this session, and why state senators should not support LB1261:

1. The recent [Flatwater Free Press expose](#) confirms our suspicions that Governor Pillen’s office, a handful of public power executives, and private sector companies developed LB1261 without the normal public and transparent process that public power system normally uses. We, the owners of our public power system, were not consulted or involved. Nothing raises more questions faster than important matters that go on behind closed doors. A flawed process usually yields a correspondingly flawed policy.
2. It is less than clear that the restrictions on the use of eminent domain included in LB1261 are what they should be to protect the long-term viability and integrity of our public power system.
3. LB1261 transfers Nebraska electrical generation decision-making from publicly elected boards to data center and mega energy users in excess of 1,000 MWs, more than the electricity needs of Lincoln. Private sector giants will do what is best for them, not the owners of our public power system.
4. It is likely the mega electricity users will utilize natural gas as one of its primary sources of generation. That amount of additional natural gas use will undoubtedly dramatically drive up the costs of natural gas for other users including other public power generators and consumers, and agriculture. Natural gas is the largest single cost component in the manufacture of anhydrous ammonia used as a nitrogen source for agricultural fertilizer.
5. Assurances that these new mega electrical generation consuming facilities will not compete with public power for natural gas fuel and other generation equipment needs fly in the face of basic supply and demand pricing realities.
6. There is no impending emergency. The owners of our Nebraska Public Power system and impacted stakeholders deserve to be included in the decision-making process about the future of their system. Make no mistake about it, LB1261 represents a massive transformational change in our current public power system. Haste makes waste. LB1261 should be sent back to committee for a robust study resolution.
7. LB1261 changes who sits in the driver’s seat and who rides in the passenger seat between our unique public power system and mega electrical energy users. We elect members to our public power system boards of directors for a reason. Our traditional system of public power has served our state exceptionally well. That system should not be put at peril in favor of a handful of big business interests.
8. Mega data processing systems often use massive amounts of water for cooling purposes. Where does that water come from? What is the process for determining appropriate siting?
9. The issue of where the excess private sector generated power goes, and at what price is far from clear. Again, the roles of who is in the driver’s seat and who is along for the ride will get changed.

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Fighting for Nebraska’s family farmers and ranchers since 1913.