

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2139

Introduced by

Senators Klein, Murphy, Robinson

Representatives Delzer, Monson, Vigesaa

1 A BILL for an Act to amend and reenact section 49-22-04 of the North Dakota Century Code,
2 relating to the submission of ten-year plans by a utility.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 49-22-04 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **49-22-04. Ten-year plans - Contents.**

7 Every utility that owns or operates, or plans within the next ten years to own, operate, or
8 start construction on any facility shall ~~annually~~ develop a ten-year plan as specified in this
9 section. ~~On and submit the plan to the commission on~~ or before July first of each
10 ~~even-numbered year, the~~. The utility shall ~~submit its ten-year plan to the commission~~ update its
11 plan every second year after its initial submission. The ten-year plan may be appropriate
12 portions of a single regional plan or may be jointly prepared and submitted by two or more
13 utilities and must contain the following information:

- 14 1. A description of the general location, size, and type of all facilities to be owned or
15 operated by the utility during the ensuing ten years, as well as those facilities to be
16 removed from service during the ten-year period.
- 17 2. An identification of the location of the tentative preferred site for all energy conversion
18 facilities and the tentative location of all transmission facilities on which construction is
19 intended to be commenced within the ensuing five years and such other information
20 as may be required by the commission. The site and corridor identification shall be
21 made in compliance with the criteria published by the commission pursuant to section
22 49-22-05.1.
- 23 3. A description of the efforts by the utility to coordinate the plan with other utilities so as
24 to provide a coordinated regional plan for meeting the utility needs of the region.

- 1 4. A description of the efforts to involve environmental protection and land-use planning
- 2 agencies in the planning process, as well as other efforts to identify and minimize
- 3 environmental problems at the earliest possible stage in the planning process.
- 4 5. A statement of the projected demand for the service rendered by the utility for the
- 5 ensuing ten years and the underlying assumptions for the projection, with that
- 6 information being as geographically specific as possible, and a description of the
- 7 manner and extent to which the utility will meet the projected demands.
- 8 6. Any other relevant information as may be requested by the commission.
- 9 Upon receipt of the ten-year plans the commission shall proceed to assess the impact of the
- 10 development proposed within the state to ensure that energy conversion facilities and
- 11 transmission facilities will be sited in an orderly manner compatible with environmental
- 12 preservation and efficient use of resources.