

2013 SENATE NATURAL RESOURCES

SB 2055

2013 SENATE STANDING COMMITTEE MINUTES

Senate Natural Resources Committee Fort Lincoln Room, State Capitol

SB 2055
January 11, 2013
17118

☐ Conference Committee

Veronica Sparling

Explanation or reason for introduction of bill/resolution:

Relating to delivery of bills for public service commission expenses

Minutes:

Written testimony attached

All committee members were present.

Chairman Lyson opened the hearing on SB 2055.

Illona Jeffcoat-Sacco testifying on behalf of the Public Service Commission stood in favor of the bill. See attached testimony #1.

Chairman Lyson asked if there were others to speak in favor of the bill.

In Opposition: None

Chairman Lyson closed the hearing on SB 2055.

Senator Murphy: Made a Do Pass Motion

Senator Burckhard: Second

Roll Call Vote: 7, 0, 0

Carrier: Senator Triplett

Date: 1-11-1
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2055

Senate Natural Resources Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment
☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Murphy Seconded By Burckhard

Senators	Yes	No	Senators	Yes	No
Senator Lyson	✓		Senator Triplett	✓	
Senator Burckhard	✓		Senator Murphy	✓	
Senator Hogue	✓				
Senator Laffen	✓				
Senator Unruh	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Triplett

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2055: Natural Resources Committee (Sen. Lyson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2055 was placed on the Eleventh order on the calendar.

2013 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2055

2013 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee
Peace Garden Room, State Capitol

SB 2055
March 6, 2013
Job 19479

☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact subsection 6 of section 49-21-01.7 of the North Dakota Century Code, relating to delivery of bills for public service commission expenses.

Minutes:

You may make reference to "attached testimony."

Illona Jeffcoat-Sacco, general counsel with the Public Service Commission: Refer to written testimony, attachment 1.

2:08 Representative M. Nelson: I noticed that if the bill is not paid within 30 days, it starts drawing interest. If a company requests a hearing, how long would it take to have that hearing?

Illona Jeffcoat-Sacco: It would take about a month. You would have to permit notice. There could be two parties, and the second party would need a notice of at least twenty days. You'd have the hearing after that. We have not been assessing interest.

Chairman Keiser: Are you suggesting we should amend it to take that out?

Illona Jeffcoat-Sacco: I do not have authority to suggest that. But if you decide that that is what you'd like to do, I would quickly get a response to you by the end of the day by the commission.

Chairman Keiser: Where is that exactly in the bill?

Illona Jeffcoat-Sacco: Lines 18 and 19. I should say that if a company requested a hearing, the commission would not consider the bill due.

Support:

Opposition:

Neutral:

Hearing closed.

Representative Ruby: I move a **Do Pass**. If it's the case that it would not be considered due if a hearing has been requested, there is no need to remove that.

Representative Kreun: **Seconded** the motion.

Chairman Keiser: The Public Service Commission does an outstanding job in their hearing process. They remain objective and sensitive to issues. They really do work for a solution that is fair.

Roll call vote on motion for a Do Pass recommendation. Motion carries.

Yes = 13

No = 1

Absent = 1

Carrier: Beadle

Date: 3-6-13Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2055**

House Industry, Business, and Labor Committee

Legislative Council Amendment Number _____

Action Taken: ☒ Do Pass ☐ Do Not Pass ☐ Amended ☐ Adopt Amendment☐ Rerefer to Appropriations ☐ Reconsider ☐ Consent Calendar

Motion Made By

Ruby

Seconded By

Beale

Representatives	Yes	No	Representatives	Yes	No
Chairman George Keiser	✓		Rep. Bill Amerman	✓	
Vice Chairman Gary Sukut	✓		Rep. Joshua Boschee	✓	
Rep. Thomas Beadle		no	Rep. Edmund Gruchalla	✓	
Rep. Rick Becker	✓		Rep. Marvin Nelson		✓
Rep. Robert Frantsvog	✓				
Rep. Nancy Johnson	✓				
Rep. Jim Kasper	✓				
Rep. Curtiss Kreun	✓				
Rep. Scott Louser	✓				
Rep. Dan Ruby	✓				
Rep. Don Vigesaa	✓				

Total Yes 13 No 1Absent 1

Floor Assignment

Beadle

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2055: Industry, Business and Labor Committee (Rep. Keiser, Chairman)
recommends **DO PASS** (13 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING).
SB 2055 was placed on the Fourteenth order on the calendar.

2013 TESTIMONY

SB 2055

#1

Senate Bill 2055

Presented by: Illona A. Jeffcoat-Sacco
General Counsel
Public Service Commission

Before: Senate Natural Resources Committee
Honorable Stanley W. Lyson, Chairman

Date: January 11, 2013

TESTIMONY

Mister Chairman and committee members, I am Illona Jeffcoat-Sacco, General Counsel with the Public Service Commission. The Commission asked me to appear today in support of Senate Bill 2055, introduced at our request.

Senate Bill 2055 is basically a housekeeping bill that includes no changes to any substantive areas of our jurisdiction. Senate Bill 2055 simply allows the Commission to send out the bills for telecommunications case expenses via regular paper or electronic mail rather than via certified mail.

As you may recall, the costs incurred by the Commission in processing telecommunications cases can be billed to the parties involved through the Commission's Public Utility Valuation Fund. Existing statutory language requires these bills to be sent to the affected companies via certified mail or personal delivery. The bill deletes the certified mail requirement and replaces it with electronic or paper mail.

In addition, the Senate Bill 2055 moves the company's opportunity to request a hearing from before the bill is sent to the company to after the bill is

sent, but before it is paid. Providing an opportunity for hearing before the bill is sent implies two notifications to a company for one bill (one to allow the opportunity for hearing and one for payment). It seems more logical, and less cumbersome, to provide the company an opportunity to challenge the amount of the bill once the company receives the bill. In practice, to my knowledge, no company has ever requested a hearing on a bill.

Mister Chairman, this concludes my testimony. I will be happy to answer any questions you may have.

Senate Bill 2055

①
3-6-2013
SB 2055

Presented by: Illona A. Jeffcoat-Sacco
General Counsel
Public Service Commission

Before: House Industry, Business, and Labor Committee
Representative George J. Keiser, Chairman

Date: March 6, 2013

TESTIMONY

Mister Chairman and committee members, I am Illona Jeffcoat-Sacco, General Counsel with the Public Service Commission. The Commission asked me to appear today in support of Senate Bill 2055, introduced at our request.

Senate Bill 2055 is basically a housekeeping bill that includes no changes to any substantive areas of our jurisdiction. Senate Bill 2055 simply allows the Commission to send out the bills for telecommunications case expenses via regular paper or electronic mail rather than via certified mail.

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