

**2023 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1067**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1067  
1/12/2023

Relating to powers of the commission

9:00 AM

Chairman Porter opened the hearing. Members present: Chairman Porter, Vice Chairman D. Anderson, Representatives Bosch, Conmy, Dockter, Hagert, Heinert, Ista, Kasper, Marschall, Novak, Olson, Roers Jones, and Ruby.

### Discussion Topics:

- RTO's
- Market, pricing, and infrastructure protection
- Expansion of current exemption

Randy Christmann, Commissioner, PSC, Testimony #12969

Rep Dockter moved a Do Pass on HB 1067, seconded by Rep Olson.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Jared Hagert	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative Jim Kasper	Y
Representative Andrew Marschall	Y
Representative Anna S. Novak	Y
Representative Jeremy Olson	Y
Representative Shannon Roers Jones	AB
Representative Matthew Ruby	Y

Yes 13 No 0 Absent 1 Motion carried. Rep Olson is the carrier.

Chairman Porter closed the hearing at 9:10 AM.

*Kathleen Davis, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1067: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB  
1067 was placed on the Eleventh order on the calendar.

**2023 SENATE ENERGY AND NATURAL RESOURCES**

**HB 1067**

# 2023 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1067  
3/3/2023

A bill relating to powers of the commission.

9:00 AM Chairman Magrum opened the meeting.

Senators Kessel, Kannianen, Beard, Boehm and Magrum are present. Senator Patten is absent.

### **Discussion Topics:**

- Regional Transmission Organizations
- Transmission lines
- Midcontinent Independent System Operators
- Non-disclosure agreements

9:00 AM Randy Christmann, Chairman of the Public Service Commission, introduced the bill and provided written testimony #21841.

9:07 AM Chairman Magrum closed the public hearing.

9:07 AM Chairman Magrum closed the meeting.

*Rick Schuchard, Committee Clerk*

# 2023 SENATE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Peace Garden Room, State Capitol

HB 1067  
3/3/2023

A bill relating to powers of the commission.

10:07 AM Chairman Patten opened the meeting.

Chairman Patten and Senators Kessel, Kannianen, Beard, Boehm and Magrum are present.

### Discussion Topics:

- Committee action

10:08 AM Senator Kessel moved a DO PASS recommendation on the bill. Senator Kannianen seconded the motion.

10:08 AM Roll call vote was taken.

Senators	Vote
Senator Dale Patten	Y
Senator Jeffery J. Magrum	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Jordan L. Kannianen	Y
Senator Greg Kessel	Y

Motion passed 6-0-0.

Senator Kannianen will carry the bill.

This bill does not affect workforce development.

10:09 AM Chairman Patten closed the meeting.

*Rick Schuchard, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1067: Energy and Natural Resources Committee (Sen. Patten, Chairman)**  
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB  
1067 was placed on the Fourteenth order on the calendar. This bill does not affect  
workforce development.

**TESTIMONY**

**HB 1067**

## House Bill 1067

**Presented by:** Commissioner Randy Christmann  
Public Service Commission

**Before:** House Energy and Natural Resources Committee  
Honorable Todd Porter, Chair

**Date:** January 12, 2023

### TESTIMONY

Mr. Chair and members of the committee, I'm Randy Christmann, Chair of the Public Service Commission (Commission) here to testify regarding HB 1067.

North Dakota customers are served by a mix of investor-owned utilities and electric cooperatives that operate in organized wholesale energy markets. Regional transmission organizations (RTOs) coordinate, control, and monitor multistate electric grids. In recent years, the federal government has made it practically impossible for a utility like our utilities to not belong to an RTO. North Dakota is served by two separate RTOs — the Midcontinent Independent System Operator (MISO) and the Southwest Power Pool (SPP).

SPP has membership from ND and MN all the way down to NM, TX, and LA. MISO is an RTO with membership from a few of these same states, including ND, and they extend as far east as Illinois and Indiana. The Commissioners participate in the RTOs through their governance structures. Currently, Commissioner Julie Fedorchak serves on the Organization of MISO States. I am on the board of the Regional State Committee for SPP.

These organizations and boards, at times, require the execution of non-disclosure agreements (NDA) to participate and receive information related to markets, pricing, and infrastructure protection. The Commissioners and PSC staff have attempted to work around many of the non-disclosure agreements, but it has impacted the agency's work. There have been instances where the inability to sign an NDA has limited Commissioner and staff involvement. The Commission is requesting an expansion of its current exemption to ensure that the Commission can continue to advocate on behalf of the state on the regional and national levels.

This concludes my testimony. Thank you for your time and I am available for questions.

## House Bill 1067

**Presented by:** Randy Christmann, Chair  
Public Service Commission

**Before:** Senate Energy and Natural Resources Committee  
Honorable Dale Patten, Chair

**Date:** March 3, 2023

### TESTIMONY

Mr. Chair and members of the committee, I'm Randy Christmann, Chair of the Public Service Commission (Commission) here to testify regarding HB 1067.

North Dakota customers are served by a mix of investor-owned utilities and electric cooperatives that operate in organized wholesale energy markets. Regional transmission organizations (RTOs) coordinate, control, and monitor multistate electric grids. In recent years, the federal government has made it practically impossible for a utility like our utilities to not belong to an RTO. North Dakota is served by two separate RTOs — the Midcontinent Independent System Operator (MISO) and the Southwest Power Pool (SPP).

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This concludes my testimony. Thank you for your time and I am available for questions.