



# WESTERN DAKOTA ENERGY ASSOCIATION

February 3, 2021

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Testimony of:

Geoff Simon, Lobbyist #144  
in support of HB 1412  
House Finance and Taxation Committee

Chairman Headland and Committee members:

On behalf of the city, county and school district members of the Western Dakota Energy Association (WDEA), notably those in the coal-producing counties, we wish to express our strong support for House Bill 1412 to provide a temporary reduction in the coal conversion tax to operators of coal-fired generating plants who are facing financial struggles due to current market inequities.

North Dakota's lignite plants have been forced to comply with a slew of expensive federal regulations, some of which provided marginal environmental improvements at best, while other sources of electric generation received generous tax subsidies that reduced their cost of production. Even though the state's lignite generation is among the lowest-cost sources of baseload power in the country, plants have been forced to back down their production because their subsidized competition is able to provide power at a lower cost, at times even offering power at negative prices thanks to the federal government's warped energy policy. Given the unfairness in the electric market, it is appropriate that the tax reduction provided in HB 1412 deliver temporary economic relief to support the state's vital baseload facilities.

Importantly to WDEA members, the legislation is crafted in a way that it would reduce only the state's portion of the conversion tax, while continuing to deliver tax revenue to the cities, counties and school districts in the coal-producing counties. The fiscal note on this bill shows an estimated reduction of \$35 million in state revenue over the 2021-23 biennium, which we believe is certainly justified given the more than \$5 billion annual economic impact of the lignite industry which includes more than 13,000 direct and indirect jobs.

It is unfortunate that federal energy policy continues to incentivize the development of intermittent sources of electric generation, while failing to adequately compensate baseload generating units which are essential to stabilize the grid at times when the intermittent production is unavailable. Even more unfortunate, we are unlikely to see any meaningful corrective action to this distorted energy policy anytime soon. Therefore, it is appropriate that the North Dakota Legislature take a proactive approach to temporarily reduce the tax burden to help ensure the continued viability of the essential baseload units.

WDEA wishes to thank Representative Delzer and Senator Bell for introducing this important legislation, and urges the committee to support the passage of HB 1412.

Thank you for the opportunity to submit testimony.

Western Dakota Energy Association  
1661 Capitol Way, Bismarck ND 58501  
www.ndenergy.org • 701-527-1832