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House Bill 1455—Testimony in Support
Senate Energy and Natural Resources, Chairman Kreun
March 19, 2021

Chairman Kreun, members of the committee, I am Carlee McLeod, President of the Utility Shareholders of North Dakota (USND), and I come before you to testify in support of HB 1455, as amended, on behalf of my members, including ALLETE, Montana Dakota Utilities, Otter Tail Power Company, and Xcel Energy.

This bill adds to existing public reporting requirements as listed in NDCC 49-22. Under chapter 49-22, 10-year plans are required to be filed every 2 years with the PSC. These are public documents and require information regarding any facilities, including retirement plans. Under this bill, language regarding the retirements would be 49-22-04 (1)(a). After the existing language required under 10-yr plans, this new language provides the following under a new section 49-22-04 (2):

- If any operator intends to retire a facility outside of what was previously anticipated in the most recent 10-yr plan (updated on a 2-year basis), they must:
 - Provide notice to the PSC;
 - Provide notice to the auditor of the county in which the facility is located;
 - Answer any requests/requirements of the PSC, including:
 - Providing any reliability study conducted with or by the corresponding regional transmission organization. This information is required by each RTO before any retirement is allowed within the system. Providing this information to the PSC would not create any new costs to the operator.
 - At that point, the PSC may take public comment in whatever format they determine appropriate—written, public hearing, etc.
- We believe this provides transparency without adding costs to operators/customers by using the existing framework and expanding it to establish a process for public hearings that the bill sponsors are seeking.
- Ten-year plans are public and filed every 2 years with any updates. Anyone can become well-versed in a utility's plans. However, when something happens to cause deviation from those plans, the PSC, the county in which the facility resides, and the public, will get notice and can react.
- Although retirements have been rare, companies have held their own meetings for employees and communities when retirements are considered or announced, and nothing in this bill would preclude them from continuing this practice.

Thank you.