

# MICROFILM DIVIDER

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*Dorinda Holladay*  
Operator's Signature

10/2/03  
Date

2003 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1133

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*Dorena Hall*  
Operator's Signature

10/2/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1133

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1-14-03

Tape Number	Side A	Side B	Meter #
1	XX		11.0--20.3
Committee Clerk Signature <i>Pam Dever</i>			

Minutes: **Chair Kelsner** opened the hearing on HB 1133. We have a fiscal note as well as testimony to pass out.

**Ilona Jeffcoat-Sacco, PSC:** (neutral) (12.6) I am here to explain HB 1133. (See Attached)

**Rep. Klein:** In comparison to other states around us, do they have a fee system?

**Ilona:** Yes, the ones that I am familiar with do have a fee system. SD has a combined system that is half and half. Half is some sort of general assessment by formula based on size of company or revenue or customers, something like that. The other half is recovered through case specific charges from the company. I've mostly seen a combination between a general assessment and a cost/causer effect.

**Rep. Klein:** Providing the services now comes out the general fund instead of from the companies you are managing?

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*Diana Hall*  
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1/12/03  
Date

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House Industry, Business and Labor Committee  
Bill/Resolution Number HB 1133  
Hearing Date 1-14-03

**Illona:** Yes, we do assess in a different function in the environmental siding function. There is a fee assessed that goes back into the general fund. We do have a valuation fund. This can be used in certain types of cases and is billed back to the company.

**David Crothers, ND Assoc. Telephone Co-op: (15.2) opposed** We represent 164,000 homes and businesses in ND. We are concerned about this bill on a philosophical basis. What is the reason for assessing the fee? We ask that any proposal to assess fees shows the relationship between the fee and the service rendered. Maybe this should be studied more.

**Rep. Froseth:** Do you know how many companies are in business that don't file any registration so the PSC doesn't know they are out there?

**David:** Some of the 450 resellers may not be offering service to ND. Maybe it would be good for the Sec. Of State to quarterly send all the companies to the PSC. We don't know who is operating in the state and who is not.

**Chair Keiser:** You don't propose to turn the PSC into an operation like the Insurance Commission Office?

**David:** I don't know how the fees are administered today within the PSC. I feel an agency serves all the people of ND. It would be difficult to draw dividing lines on which agencies are going to do that and which are not. We like in a deregulatory era in telecommunications.

**Rep. Kasper:** Can you give me an average annual cost to a member to register, pay fees, etc. To the state?

**David: (18.9)** I can't. There are various sizes of companies that belong. I will bring something back for tomorrow.

**Chair Keiser:** Any more testimony? Hearing none, HB 1133 is closed.

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*Deanna Bell*  
Operator's Signature

1/14/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1133

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1/15/03

Tape Number	Side A	Side B	Meter #
3	x		37.5-end

Committee Clerk Signature *Judith Hammer*

Minutes: Chairman Keiser called for committee work on HB 1133, the companion bill to HB 1132. Rep. Klein stated that this steps up the \$100 fee for all public utility companies doing business in ND. This would standardize things to include all telecommunication companies, telecommunication cooperatives, gas utilities, electric utilities, electric cooperatives and pipe line utilities. Funds would be deposited in the general fund. Some 47 states utilize this fee system that charges the beneficiaries for services provided. I don't think \$100 is break any of these companies. Rep Klein moved a do pass, Rep. Nottestad seconded the motion.

Rep. Froseth stated that the \$100,000 is added to the general fund income, but we never know, as a committee, if their general fund appropriation request is reduced by that much.

Rep. Klein: The money goes into the big pot, not the Public Service Commission pot, not to the coffers of the utilities.

Rep. Ekstrom: Wasn't Carruthers concerned about the relationship between the fee and the reason for the fee?

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*1/21/03*  
Date

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House Industry, Business and Labor Committee  
Bill/Resolution Number 1133  
Hearing Date 1/15/03

**Rep. Klein:** He wanted to know what service he gets for the fee. If the PSC has to follow up on complaints about slamming etc., this is a way for the PSC to recoup costs from non regulated utilities.

**Rep. Ruby:** Won't this ultimately be passed on to the customers?

**Rep. Nottestad:** This is just another cost of doing business.

**Chairman Keiser:** In banking, insurance and other areas, fees paid by the businesses within the industry, cover the expenses of the state agency that oversees them. Commissioners hear from those entities that are paying them big bucks but they also have represent the public.

A roll call vote carried the motion for a do pass: 11-2-1.

**Rep. Klein** will carry this bill on the floor.

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