

Introduced by

Representatives Laning, Boe, Kempenich

Senators Burckhard, Campbell, O'Connell

1 A BILL for an Act to create and enact a new section to chapter 49-03 of the North Dakota
2 Century Code, relating to the construction of electric transmission lines by cooperatives; and to
3 provide for application.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 49-03 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Right of rural electric cooperative to construct, own, and maintain electric**
8 **transmission lines.**

- 9 1. For purposes of this section, the terms electric transmission provider, electric
10 transmission line, and rural electric cooperative have the same meanings as in
11 section 49-03-01.5.
- 12 2. An electric transmission provider or designee may not construct an electric
13 transmission line interconnecting with an existing electric transmission line owned,
14 leased, or operated by a rural electric cooperative, unless the electric transmission
15 provider or designee has provided written notice of its intention to do so at least one
16 hundred eighty days before applying for a certificate of public convenience and
17 necessity for that line. If the rural electric cooperative provides written notification to
18 the electric transmission provider or designee and the commission, within one hundred
19 eighty days from receipt of the written notice under this subsection, that the rural
20 electric cooperative is willing and able to construct and operate a similar electric
21 transmission line, the commission may not issue a certificate of public convenience
22 and necessity for the proposed line of the electric transmission provider or designee.
- 23 3. This section must be construed and applied to the maximum extent possible in a
24 manner consistent with subsection 2 of section 49-03-02.

1 **SECTION 2. APPLICATION.** This Act applies to any electric transmission line that is
2 scheduled to begin being constructed after December 31, 2015.