

**Testimony in Support of  
SENATE BILL No 2091  
Senate Energy & Natural Resources Committee  
January 8, 2021**

Good morning, Chairman Kreun, Members of the Senate Energy & Natural Resources Committee, my name is Deb Birgen. Unfortunately, I am unable to attend today's hearing, so I have asked Todd D. Kranda, an attorney at Kelsch Ruff Kranda Nagle & Ludwig law firm in Mandan and a lobbyist for Missouri River Energy Services, to appear on my behalf and provide this testimony in support of SB 2091.

I serve as the Vice-President of Legislative & Governmental Relations for Missouri River Energy Services (Missouri River). I am speaking to you on behalf of Missouri River which is a municipal power agency that provides wholesale electricity to six member communities in North Dakota, including Cavalier, Hillsboro, Lakota, Northwood, Riverdale and Valley City. Missouri River appears before you today to support SB 2091.

As I understand the purpose of SB 2091 is to clarify that electric vehicle (EV) charging stations and their owners are not utilities for the purposes of ND statutory and regulatory law governing the way that utilities operate in ND—provided that if, and only if, the EV charging station buys all of its power from the incumbent utility, whether that utility is a cooperative electric utility, an investor-owned utility, or a municipal electric utility. We support this protection of and respect for the service territory laws of ND. All utilities invest in capital-intensive generation, transmission, and distribution systems to serve all of their customers, including EV charging stations, in their service territory. This language prevents circumstances that would create stranded investment in these generation resources and infrastructure, which other customers would then need to pay for. Therefore, we are supportive of this language that protects utilities and their customers.

Thank you for taking the time to consider these comments. Missouri River and its members support the passage of SB 2091.