

Introduced by

Representatives Satrom, Karls, Klemin, Lefor, Monson

Senator Conley

1 A BILL ~~for an Act to provide for a legislative management study regarding the potential impacts~~
2 ~~of an electromagnetic pulse on the state's electric grid~~ for an Act to amend and reenact section
3 49-05-17 of the North Dakota Century Code, relating to resource planning.

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

5 ~~—SECTION 1. LEGISLATIVE MANAGEMENT STUDY – POTENTIAL IMPACTS OF AN~~
6 ~~ELECTROMAGNETIC PULSE ON THE STATE'S ELECTRIC GRID. During the 2023-24~~
7 ~~interim, the legislative management shall consider studying the potential impacts of an~~
8 ~~electromagnetic pulse on the state's electric grid. The study must include an evaluation of the~~
9 ~~state's electric grid and its susceptibility to intentional electromagnetic interference along with~~
10 ~~potential voltage instability, power system collapse, and blackouts. The study also must include~~
11 ~~potential solutions and methods for preventing and mitigating electromagnetic pulse threats and~~
12 ~~impacts on the state's electric grid. The legislative management shall report its findings and~~
13 ~~recommendations, together with any legislation required to implement the recommendations, to~~
14 ~~the sixty-ninth legislative assembly.~~

15 **SECTION 1. AMENDMENT.** Section 49-05-17 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **49-05-17. Resource planning.**

18 1. An integrated resource plan must include:

19 a. The electric public utility's forecast of demand for electric generation supply over
20 the planning period with recommended plans for meeting the forecasted demand
21 plus an additional planning reserve margin for ensuring adequate and sufficient
22 reliability of service; and

- 1 b. Any additional information the commission requests related to how an electric
2 public utility intends to provide sufficient electric generation service for use by
3 retail customers within the state over the planning period.
- 4 2. An electric public utility shall include a least cost plan for providing adequate and
5 reliable service to retail customers which is consistent with the provisions of this title
6 and the rules and orders adopted and issued by the commission.
- 7 3. The commission may consider the qualitative benefits and provide value to a
8 base-load generation and load-following generation resource and its proximity to load.
- 9 4. The commission may contract or consult with an expert to evaluate qualitative benefits
10 of resources and to review reliability planning. The commission may require an electric
11 public utility to pay a fee necessary for completion of an evaluation in an amount not to
12 exceed two hundred fifty thousand dollars.
- 13 a. If additional funds are necessary for completion of the evaluation, upon approval
14 of the emergency commission, the electric public utility shall pay the additional
15 fees reasonably necessary for the completion.
- 16 b. If the evaluation applies to more than one electric public utility, the commission
17 may assess each electric public utility the proportionate share of the fee.
- 18 5. An electric public utility shall report annually to the commission on ~~cybersecurity-~~
19 ~~preparedness, including an assessment of~~ emerging threats and efforts taken by the
20 electric public utility to implement security and cybersecurity measures. The
21 commission ~~may~~shall limit access to records and portions of a meeting relating to
22 security and cybersecurity preparedness.