

**FIRST ENGROSSMENT  
with Senate Amendments  
ENGROSSED HOUSE BILL NO. 1353**

Introduced by

Representatives Satrom, Karls, Klemin, Lefor, Monson

Senator Conley

1 A BILL for an Act to amend and reenact section 49-05-17 of the North Dakota Century Code,  
2 relating to resource planning.

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

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

6 **49-05-17. Resource planning.**

7 1. An integrated resource plan must include:

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

12 b. Any additional information the commission requests related to how an electric  
13 public utility intends to provide sufficient electric generation service for use by  
14 retail customers within the state over the planning period.

15 2. An electric public utility shall include a least cost plan for providing adequate and  
16 reliable service to retail customers which is consistent with the provisions of this title  
17 and the rules and orders adopted and issued by the commission.

18 3. The commission may consider the qualitative benefits and provide value to a  
19 base-load generation and load-following generation resource and its proximity to load.

20 4. The commission may contract or consult with an expert to evaluate qualitative benefits  
21 of resources and to review reliability planning. The commission may require an electric  
22 public utility to pay a fee necessary for completion of an evaluation in an amount not to  
23 exceed two hundred fifty thousand dollars.

- 1           a.    If additional funds are necessary for completion of the evaluation, upon approval  
2                   of the emergency commission, the electric public utility shall pay the additional  
3                   fees reasonably necessary for the completion.
- 4           b.    If the evaluation applies to more than one electric public utility, the commission  
5                   may assess each electric public utility the proportionate share of the fee.
- 6        5.    An electric public utility shall report annually to the commission on ~~cybersecurity-~~  
7            ~~preparedness, including an assessment of~~ emerging threats and efforts taken by the  
8            electric public utility to implement physical security and cybersecurity measures. The  
9            commission ~~may~~shall limit access to records and portions of a meeting relating to  
10           physical security and cybersecurity preparedness.