

# House Bill 1097

**Presented by:** Commissioner Randy Christmann  
Public Service Commission

**Before:** House Energy and Natural Resources Committee  
Honorable Todd Porter, Chair

**Date:** January 12, 2023

## TESTIMONY

Mr. Chair and members of the committee, I'm Randy Christmann, Chair of the Public Service Commission (Commission), here to testify on HB 1097. HB 1097 provides the following changes to the state's siting jurisdiction:

- The amendments add utility scale energy storage of over five megawatts and hydrogen refinement and transmission as facilities to be sited by the Commission. Storage is addressed in Sections 1 and 2 of the bill, and hydrogen refinement and transmission are addressed in Section 6.
- HB 1097 allows the Commission to provide two notices at a reasonable interval prior to the public hearing rather than once outside of twenty days and once within twenty days of the public hearing. With many publications moving towards weekly or bimonthly publications, an inflexible 20-day publication threshold has resulted in proceedings being pushed back weeks. Section 7 of the bill covers this for hydrocarbons and Section 3 for electrical.

- Electric transmission lines are permitted to adjust routes within and around the site if proper filings and conditions are met. This amendment is the same section that currently exists within the pipeline transmission law (49-22.1) to provide flexibility during construction to mitigate discovered impacts. This change is accomplished in Section 4 of the bill.
- Clarifies a more narrowed interpretation of when administrative fees are collected for an application to when a new permit or certificate is requested, or a permit or certificate is reviewed for transfer to a new company or entity. There have been some questions about whether applications for project amendments, waivers, or other procedural requests assess an administrative fee. The Commission believes that this was not the intent of the administrative fee and is requesting this correction. This change is accomplished with Sections 5 and 8 of the bill.

This concludes my testimony. Thank you for your time and I am available for questions.