

TESTIMONY IN OPPOSITION OF HOUSE BILL 1315
HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE
FEBRUARY 2, 2023

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Good morning, Chairman Porter and members of the Committee. My name is Justin Dever and I am testifying today in opposition of House Bill 1315 on behalf of MDU Resources Group and its subsidiary Montana-Dakota Utilities Co. Montana-Dakota serves 157 communities in North Dakota with electricity and natural gas.

The reliability and resiliency of our electrical grid are vitally important, as well as resource adequacy. Electric public utilities, such as Montana-Dakota Utilities, already have an obligation to ensure reliable service under NDCC § 49-05-19. This is an obligation we take seriously, even prior to it being added into state law.

As critical as these concepts are, House Bill 1315 could unintentionally impede the ability to develop projects in the state that would help strengthen the electrical grid, such as additional transmission projects.

HB 1315 adds a consideration of “sufficient evidence establishing the impact on the reliability, integrity, or resilience of the existing electric supply and distribution system.” It is unclear what evidence would be required to sufficiently demonstrate the impact. The most direct source would be a regional transmission organization (RTO) which already conducts generator interconnection and transmission studies. The RTOs have the staff and expertise to perform this work, and these studies are conducted before a project can be connected to the regional electrical grid. If the state were to require anything in this regard, it would make sense to require that the applicant has obtained a transmission interconnect agreement.

Currently, the RTO process can run in parallel with the state’s siting process. HB 1315 could require the RTO generator interconnection or transmission study be completed prior to the siting process being completed, thus causing delays. To be clear, no project is going to be constructed if it doesn’t have the necessary RTO approval and the ability to connect to the regional grid.

I respectfully ask the committee to recommend a Do Not Pass on HB 1315.

Mr. Chairman and members of the committee, thank you for allowing me to visit with you today.