



February 2, 2023

House Energy & Natural Resources Committee

Re: Oppose HB 1315

Chairman Porter and members of the committee,

Wind Industry of ND (WIND) is a coalition that advocates for the continued support of wind as one of North Dakota's many valuable natural resources.

A one-sentence bill might seem simple. Everyone wants low-cost, reliable electricity. HB 1315 however, expands the jurisdiction of the PSC from the core purpose of the siting act—protecting human and environmental health—to regulation of the regional grid. This is problematic for various technical, practical, and legal reasons.

The PSC does not currently have the resources or expertise to do its own analysis on grid or reliability issues. They do not have grid experts or electrical engineers mired in the technical and physical details of what keeps the grid reliable. These specialized staff demand competitive compensation in the private sector—a cost not currently supported in the PSC budget. Would MISO or SPP officials, or grid operators, voluntarily show up in siting hearings and offer expert testimony? Would the PSC have to subpoena them? Would the bill create a situation where there are competing studies of grid impact, when MISO and SPP are the qualified experts on impacts to the grid?

WIND members are also concerned about the subjectivity of the terms contained in HB1315. Integrity, reliability, and resilience are undefined in the bill. These terms are subject to wide debate. Our state has benefitted tremendously from its pro-business environment and predictable regulatory climate. WIND member companies seek to invest billions of dollars in our state, but this bill would add significant uncertainty and risk to the regulatory process and discourage this investment of private capital.

Before a wind project can place electrons into the grid, it must go through a long, technical, and oftentimes expensive process called interconnection, managed by the Regional Transmission Operator and with input from the transmission owner. The very purpose of the interconnection process is to determine impacts of new generation on the grid. If a new wind project creates an issue with the grid, the project will be responsible for upgrading the transmission system before it can send electrons into the grid to ensure, integrity, reliability, and resilience. Simply put, there is already a well-established process for assessing—and mitigating—how a new wind project might impact the grid.