



# North Dakota House of Representatives

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## **Representative Anna S. Novak**

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**COMMITTEES:**  
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February 9, 2023

Concurrent Resolution 3014

Mr. Chairman, members of the committee - for the record, my name is Anna Novak, Representative for District 33. You have before you Concurrent Resolution 3014. This resolution will be sent to the Regional Transmission Organization's that service North Dakota, which are MISO and SPP.

Unfortunately, we live in a time and in a country that incentivizes electricity that isn't reliable and tends to be more expensive in the long-term for ratepayers. The North American Electric Reliability Corporation, otherwise known as NERC, recently put together their 2022 long-term reliability assessment. This document shows that both MISO and SPP have experienced maximum generation alerts in recent years and there are concerns at both organizations about having enough electricity during times that we use more electricity than usual, because of very cold or very hot weather or when the wind isn't blowing. MISO and SPP have told us time and time again that they are policy takers and not policy makers, so I believe that they are waiting on us to tell them what we want them to do. Although this isn't a law, I am hopeful that Concurrent Resolution 3014 sends a strong message that North Dakota is concerned about reliability. I urge you to give this a strong Do Pass Recommendation, and I'll stand for any questions you may have. Thank you.

**HOUSE CONCURRENT RESOLUTION NO. 3014**

Introduced by

Representatives Novak, D. Anderson, Hagert, Heinert

1 A concurrent resolution urging the Southwest Power Pool and Midcontinent Independent  
2 System Operator to take prompt and decisive actions to maintain the reliability of the Bulk  
3 Power System by correcting market failures that have allowed capacity retirements to outpace  
4 replacement.

5 **WHEREAS**, the welfare of the citizens and economic security of this state depend on the  
6 affordability, reliability, and resilience of the electric power supply; and

7 **WHEREAS**, the North American Electric Reliability Corporation's 2022 long-term reliability  
8 assessment shows several United States regions with serious generation capacity shortfalls  
9 and a failure to meet established reliability criteria, and the Midcontinent Independent System  
10 Operator (MISO) and the Southwest Power Pool (SPP), which serve North Dakota, have  
11 experienced multiple maximum generation alerts in recent years and load-shedding events to  
12 address capacity shortfalls; and

13 **WHEREAS**, the Legislative Assembly is greatly concerned about the ability of regional grid  
14 operators to meet peak demand during extreme weather events because dispatchable thermal  
15 generation resources are retiring much faster than generating capacity is being replaced, and  
16 this gap will continue to widen as weather-dependent generation saturates the grid; and

17 **WHEREAS**, the trend of announced dispatchable generation retirements is scheduled to  
18 increase in the 15-state MISO to more than 30 gigawatts by 2030, not including retirements  
19 caused by new Environmental Protection Agency rules; and

20 **WHEREAS**, electric power markets are distorted significantly by direct and indirect  
21 subsidies that erode the economics of dispatchable thermal electric power plants and increase  
22 the likelihood of early retirement of the power plants; and

23 **WHEREAS**, state and federal renewable energy mandates further drive investment  
24 decisions toward weather-dependent generation without considering the full impacts to the  
25 system; and