

House Bill 1067

Presented by: Randy Christmann, Chair
Public Service Commission

Before: Senate Energy and Natural Resources Committee
Honorable Dale Patten, Chair

Date: March 3, 2023

TESTIMONY

Mr. Chair and members of the committee, I'm Randy Christmann, Chair of the Public Service Commission (Commission) here to testify regarding HB 1067.

North Dakota customers are served by a mix of investor-owned utilities and electric cooperatives that operate in organized wholesale energy markets. Regional transmission organizations (RTOs) coordinate, control, and monitor multistate electric grids. In recent years, the federal government has made it practically impossible for a utility like our utilities to not belong to an RTO. North Dakota is served by two separate RTOs — the Midcontinent Independent System Operator (MISO) and the Southwest Power Pool (SPP).

SPP has membership from ND and MN all the way down to NM, TX, and LA. MISO is an RTO with membership from a few of these same states, including ND, and they extend as far east as Illinois and Indiana. The Commissioners participate in the RTOs through their governance structures. Currently, Commissioner Julie Fedorchak serves on the Organization of MISO States. I am on the board of the Regional State Committee for SPP.

These organizations and boards, at times, require the execution of non-disclosure agreements to participate and receive information related to markets, pricing, and infrastructure protection. The Commissioners and PSC staff have attempted to work around many of the non-disclosure agreements, but it has impacted the agency's work. There have been instances where the inability to sign an effective non-disclosure agreement has limited Commissioner and staff involvement. The Commission is requesting an expansion of its current exemption to ensure that the Commission can continue to advocate on behalf of the state on the regional and national levels.

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