



PO Box 1856
Bismarck, ND 58502
701-258-8864
1-800-981-5132
www.usnd.org

House Bill 1353 Testimony in Support

Senate Energy and Natural Resources Committee, Senator Patten, Chair

March 3, 2023

Chairman Patten, members of the committee, I am Carlee McLeod, president of the Utility Shareholders of North Dakota, here on behalf of USND utility members, including ALLETE, Montana-Dakota Utilities, Otter Tail Power, and Xcel Energy. We ask you to support HB 1353.

The utility industry provides critical infrastructure, and as such, there are nefarious people who seek to create chaos by attacking that infrastructure. For example, last session the legislature created a reporting requirement for cybersecurity preparedness to ensure the PSC was aware of cyber threats and utility plans to thwart attacks. This bill is specific to the threat of electromagnetic pulse, a real threat against which utilities have created plans to harden infrastructure. We understand the need for a regulatory body with oversight over public utilities to be aware of emerging threats and utility plans to protect against them, and such reporting would be consistent with current practices.

House amendments addressed concerns we had with the original bill by protecting sensitive information. By widening the reporting requirement from cyber threats to all emerging threats, utilities and the PSC can discuss threats and protective measures confidentially.

However, the wording of the House amendment was a bit inelegant. If the committee desired to amend the bill, it would be appropriate to insert "physical" before "security and" in both lines 8 and 10 on page two. This would not change the intent of the bill, but it would make the use of "security" less redundant. We ask the committee to support this bill.

Thank you.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO 1353

Page 2, line 8, insert "physical" before "security and"

Page 2, line 10, insert "physical" before "security and"