



January 30, 2025

Chairman Porter and House Energy and Natural Resource Committee Members,

Thank you for the opportunity to testify in opposition to House Bill 1210 on behalf of the Lignite Energy Council. This bill unfairly places excessive liability on pipeline owners, even though most pipeline ruptures result from third-party actions like excavation or unauthorized construction—not operator negligence. Holding owners solely responsible for incidents beyond their control is both unreasonable and unfair.

Existing safeguards, including federal regulations, Public Service Commission insurance requirements, indemnification agreements, and common law liability protections, already provide comprehensive coverage for potential damages. Adding excessive penalties as proposed in this bill would discourage investment in critical CO₂ infrastructure, jeopardizing future projects like Project Tundra, and long-standing successes such as the Dakota Gasification Company's CO₂ pipeline for enhanced oil recovery.

I urge the committee to reject House Bill 1210, with a Do Not Pass recommendation, to avoid imposing undue penalties on pipeline operators and to support North Dakota's energy development and economic growth.

Thank you for your consideration,

Jonathan Fortner
VP of Government Relations
Lignite Energy Council