

Senate Bill 2068

Presented by: Konrad Crockford, Director, Compliance Division
Public Service Commission

Before: Senate Transportation Committee
The Honorable Senator Clemens, Chair

Date: January 09, 2025

TESTIMONY

Chair Clemens and committee members, I am Konrad Crockford, the Compliance Division Director for the Public Service Commission, here to testify on SB 2068.

The Public Service Commission (PSC) is the state agency charged with representing North Dakota's rail interests before federal agencies and in direct negotiations with rail carriers related to tariffs and rates, and investigation and enforcement of rail safety. The PSC, by nature, is a regulatory agency focused on ensuring compliance with laws and rules. The North Dakota Department of Transportation (NDDOT) maintains focus on the long-range planning of rail transportation and improvements to intersections where the public and railroads meet. Additionally, the NDDOT administers the two state rail loan programs along with spearheading grant applications for improving and upgrading railroad grade crossings across North Dakota. In 2023, the NDDOT was able to secure a \$30M Federal Railroad Administration grant to assist with the grade separation at the intersections of Demers Ave. and 42nd St. in Grand Forks, North Dakota.

The affected North Dakota Century Code sections in SB 2068 currently require the NDDOT to seek approval from the PSC to apply for rail grants. The PSC proposes to amend these sections to remove the approval requirement, while still maintaining the PSC's participation. The NDDOT is well positioned to understand the needs of the state when it comes to railroad grade crossings and rail transportation enhancements and which available federal grants these needs may fit into. As a result, although the PSC may have input at times, the PSC is better suited for an advisory role and will continue to actively participate in the NDDOT's Freight Advisory Committee, the North Dakota Long Range Transportation Plan, monthly railroad planning meetings, along with other cooperative initiatives.

Chair Clemens, this concludes my testimony. Thank you for your time and I will be happy to answer any questions.