

**ARTICLE 69-01
GENERAL ADMINISTRATION**

Chapter
69-01-01 Organization of Commission

**CHAPTER 69-01-01
ORGANIZATION OF COMMISSION**

Section
69-01-01-01 Organization and Functions of the Public Service Commission

69-01-01-01. Organization and functions of the public service commission.

1. **Jurisdiction.** The commission's duties are prescribed by the legislative assembly. The commission has jurisdiction over railroads, telecommunications companies, pipeline, electric, and heating companies, weights and measures, public auctioneers and auction clerks, siting of energy plants and transmission facilities, reclamation of mined lands, and all other public utilities engaged in business in this state.

The commission does not have jurisdiction over the rates of rural electric cooperatives, most small telephone companies, or cable television.

2. **Organization.**

- a. **Commissioners.** The three public service commissioners are statewide elected officials, each serving a six-year term with one commissioner's term expiring every two years. The commissioners are responsible for the exercise of the powers and duties of the commission. Although the workload is divided among the commissioners, each commissioner exercises equal power and shares equal responsibility for each decision.
- b. **Executive secretary.** The public service commission appoints an executive secretary who coordinates, supervises, and directs the commission's day-to-day operations and advises and assists the commission in the discharge of its statutory responsibilities. The executive secretary handles all administrative matters relating to personnel, accounting, purchasing, payroll, and budget preparation.

Currently, the executive secretary also serves as the director of the public utilities division.

- c. **Counsel.** The attorney general is the attorney for the commission, but based on commission recommendation has appointed counsel to act as legal advisor to the commission.
- d. **Commission divisions.** The commission has seven divisions:

- Abandoned mine lands division
- Accounting division
- Legal division
- Licensing division
- Public utility division
- Reclamation division
- Testing and safety division

3. **Functions of the divisions.**

- a. Abandoned mine lands division. The abandoned mine lands division administers a federal program to remove hazards and environmental problems associated with abandoned mines. The division investigates abandoned mine lands sites, designs reclamation projects, submits applications for federal funds, and manages construction projects under public contracts.
- b. Accounting division. The accounting division provides accounting and data processing services to all commission divisions.
- c. Legal division. The legal division provides legal representation, advice, and counsel to the commission and divisions. The legal division also provides assistance to the commission relating to railroads, including responsibilities associated with the intrastate regulation of railroads and assisting the commission in representing the state's rail interests at the federal level.
- d. Licensing division. The licensing division helps the commission administer statutes and rules concerning the licensing and subsequent regulation of auctioneers and auction clerks.
- e. Public utility division. The public utility division provides technical and administrative assistance to the commission in regulating telecommunications and electric and gas utilities and in siting energy conversion and transmission facilities.

The division makes recommendations on applications for the siting of energy conversion and transmission facilities and on enforcement of commission orders permitting electric powerlines, gas pipelines, and electrical generation plants.

The division also responds to complaints, inquiries, and requests for information about activities or companies within the commission's jurisdiction. It promotes consumer understanding of the regulatory process and facilitates public participation.

- f. Reclamation division. The reclamation division is responsible for the administration and enforcement of state environmental law regarding surface coal mining and reclamation operations. It also administers commission authority under the Surface Owner Protection Act.
 - g. Testing and safety division. The testing and safety division provides a fair basis for commercial transactions by maintaining the necessary standards of weight, volume, and length. It tests commercial weighing and measuring devices for accuracy to protect both the buyer and seller. It also administers the gas distribution and intrastate pipeline safety program.
4. **Inquiries.** General inquiries to the public service commission may be addressed to the executive secretary of the commission. Specific inquiries about the functions of each division may be addressed to the division director. Requests for hearings, rulings, or participation in rulemaking should be addressed to the executive secretary, unless the public notice directs otherwise.

The commission's telephone number is 701-328-2400. Fax: 701-328-2410. E-Mail: ndpsc@state.nd.us.

Correspondence should be addressed as follows:

Public Service Commission
600 East Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

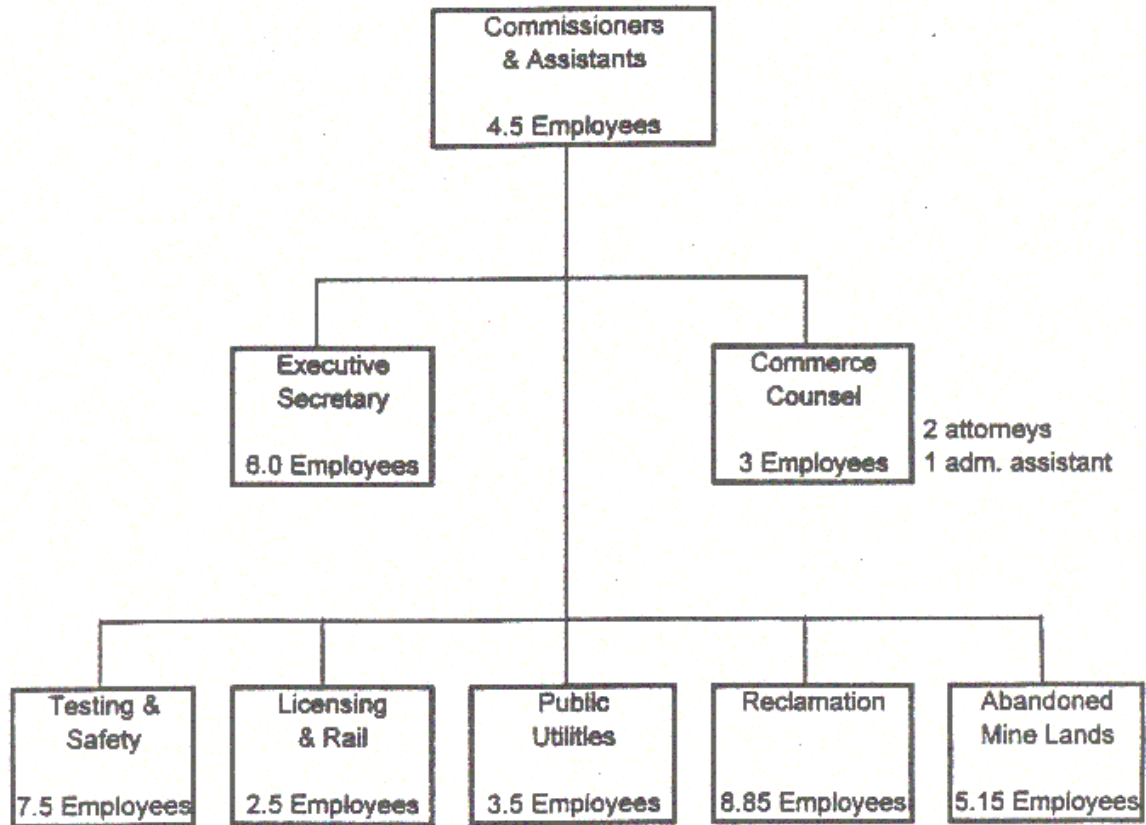
History: Amended effective August 1, 1981; December 1, 1981; August 1, 1983; March 1, 1986; October 1, 1987; October 1, 1989; February 1, 1992; May 1, 1993; April 1, 1994; May 1, 1995; February 1, 1998; February 1, 2000; June 1, 2005.

General Authority: NDCC 28-32-02.1

Law Implemented: NDCC 28-32-02.1

Public Service Commission

Organizational Chart



Full-time Employees: 41

July 1, 1997