Sixty-seventh Legislative Assembly of North Dakota

SENATE BILL NO. 2091

Introduced by

Energy and Natural Resources Committee

(At the request of the Public Service Commission)

- 1 A BILL for an Act to amend and reenact section 49-03-01.5 of the North Dakota Century Code,
- 2 relating to an exclusion from the definition of public utility and rural electric cooperative.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 4 **SECTION 1. AMENDMENT.** Section 49-03-01.5 of the North Dakota Century Code is
- 5 amended and reenacted as follows:
- 6 **49-03-01.5. Definitions.**
- 7 As used in sections 49-03-01 through 49-03-01.5:
- 8 1. "Electric provider" means either an electric public utility or a rural electric cooperative.
- 9 2. "Electric public utility" means a privately owned supplier of electricity offering to supply
- or supplying electricity to the general public. The term does not include a person that
- 11 <u>uses an electric vehicle charging station to resell electricity to the public if the reseller</u>
- has procured electricity from an electric service provider that is authorized to engage
- in the retail sale of electricity within the service area in which the electric vehicle
- charging service is provided, and the resale is for the charging of electric vehicles
- 15 <u>exclusively.</u>
- 16 3. "Electric transmission line" means facilities for conducting electric energy at a design
- voltage of one hundred fifteen kilovolts or greater phase to phase and more than one
- mile [1.61 kilometers] long.
- 19 4. "Electric transmission provider" means an owner or operator, other than a rural electric
- cooperative, of a transmission line the costs of which are recovered directly or
- indirectly through transmission charges to an electric public utility.
- 22 5. "Person" includes an individual, an electric public utility, a corporation, a limited liability
- company, an association, or a rural electric cooperative.

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- 1 "Rural electric cooperative" includes any electric cooperative organized under chapter 2 10-13. An electric cooperative, composed of members as prescribed by law, shall not 3 be deemed to be an electric public utility. The term does not include a person that 4 uses an electric vehicle charging station to resell electricity to the public if the reseller 5 has procured electricity from an electric service provider that is authorized to engage 6 in the retail sale of electricity within the service area in which the electric vehicle 7 charging service is provided, and the resale is for the charging of electric vehicles 8 exclusively.
 - 7. "Service area" means a defined geographic area containing existing or future service locations established by an agreement among electric providers and approved by the commission.
 - 8. "Service area agreement" means an agreement between electric providers establishing service areas and designating service locations to be served by each provider under section 49-03-06.
 - 9. "Service location" means the structures, facilities, or improvements on a parcel of real property to which electric service may be provided.