



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

House Bill 1096 Testimony by Carlee McLeod in **Support**, with offered amendment

House Energy and Natural Resources Committee, Representative Porter, Chair

January 14, 2021

Chairman Porter, members of the committee, USND supports this bill on behalf of its members which include ALLETE, Montana-Dakota Utilities, Otter Tail Power, and Xcel Energy. We come before you today to support HB 1096.

HB 1096 is a bill comprised of necessary clean-up to the siting chapters 49-22 and 49-22.1, which were separated in the 2017 session, as well as additional components we feel are reasonable.

We would, however, like to offer an amendment for the committee's consideration. Specifically:

Page 8, line 21, after (2), insert "A natural gas distribution system; (3)"

Page 8, line 23, replace (3) with (4)

Page 8, line 27, replace (4) with (5)

Renumber accordingly

This amendment clarifies that a natural gas distribution line does not fall under the definition of "gas or liquid transmission facility." To date, the PSC has consistently treated natural gas distribution lines as not falling under this definition. The commission relies on previous orders and PHMSA guidance for its determination, but each incident of natural gas distribution line expansion prompts a review for commission and utility staff to compile the same determination. This amendment would codify their consistent interpretation, saving staff time and resources.

Thank you for your consideration.