

February 18, 2021

To: Senate Political Subdivisions Committee

RE: Support of House Bill 1059

From: Zac Smith, communications and government relations director, NDAREC

Chairman Burckhard and members of the Senate Political Subdivisions committee, the North Dakota Association of Rural Electric Cooperatives (NDAREC) represents sixteen electric distribution cooperatives and five generation and transmission cooperatives that generate, transmit, and distribute electricity across the state of North Dakota. NDAREC supports HB 1059 on behalf of its members but would ask for removal of line 15 of the engrossed bill as proposed in amendments by the Public Service Commission.

HB 1059 requires an excavator to call 911 and notify a pipeline operator immediately if damage results in a potentially dangerous product is released. However, NDAREC and its members do not believe that excavators should also be required to contact the State Unified Spill Reporting System. The bill already requires notification of the pipeline operators, and pipeline operators are familiar with and know reporting to the State Unified Spill Reporting system in a way the excavator may not. Because the excavator is already required to notify the operator of any damage and the operator is required to report that information the additional onus of reporting to the State Unified Spill Reporting System seems redundant and a step that would potentially be missed in an emergent situation.

I thank the Committee for its time, the opportunity to provide written testimony, and consideration. NDAREC would urge adoption of the Public Service Commission amendment and, thereafter a Do Pass recommendation on House Bill 1059.