

HOUSE CONCURRENT RESOLUTION NO. 3015

Introduced by

Representatives Novak, D. Anderson, Dockter, Hagert, Heinert, J. Olson, Porter, Tveit

Senators Boehm, Patten

1 A concurrent resolution urging the Southwest Power Pool and Midcontinent Independent
2 System Operator to promptly and decisively act to maintain the reliability of the bulk power
3 system by addressing market failures that have allowed capacity retirements to outpace
4 replacement.

5 **WHEREAS**, the welfare of North Dakota's citizens and its economic security depend on a
6 reliable, affordable, and resilient electric power supply; and

7 **WHEREAS**, the Federal Energy Regulatory Commission has expressed concerns about the
8 reliability and stability of the regional and national electricity grid due to the rapid retirement of
9 dispatchable generation resources, delays in the development of replacement capacity, and the
10 increasing reliance on intermittent energy sources, which collectively pose risks to the ability of
11 regional transmission organizations like Southwest Power Pool and Midcontinent Independent
12 System Operator to ensure consistent and reliable power delivery; and

13 **WHEREAS**, the North American Electric Reliability Corporation's 2024 Long-Term Reliability
14 Assessment warns that over half of North America faces elevated risks of energy shortages due
15 to increasing demand, rapid generator retirements, and delays in resource development; and

16 **WHEREAS**, the Midcontinent Independent System Operator has been identified as a
17 high-risk region, with resource adequacy targets potentially falling short within the next 5 years,
18 while the Southwest Power Pool is also categorized as an elevated-risk region; and

19 **WHEREAS**, Midcontinent Independent System Operator and Southwest Power Pool, which
20 serve North Dakota, have experienced repeated maximum generation alerts and load-shedding
21 events in recent years, highlighting the critical need to address resource adequacy and
22 reliability issues; and

23 **WHEREAS**, the accelerated retirement of dispatchable base-load generation resources,
24 combined with insufficient replacement capacity, creates a widening reliability gap as
25 weather-dependent resources saturate the grid; and

1 **WHEREAS**, announced dispatchable generation retirements in the 15-state Midcontinent
2 Independent System Operator region are projected to exceed 30 gigawatts by 2030, further
3 exacerbating resource adequacy challenges; and

4 **WHEREAS**, direct and indirect subsidies for specific energy resources distort market
5 economics, making it difficult for dispatchable base-load generation resources to remain
6 economically viable and accelerating early retirement; and

7 **WHEREAS**, Midcontinent Independent System Operator has identified six critical reliability
8 attributes, including availability, energy assurance, fuel assurance, rapid start-up capability,
9 ramp-up capability, and voltage stability, which are essential for maintaining grid reliability; and

10 **WHEREAS**, reforming market pricing mechanisms are urgently needed to ensure these
11 critical attributes are appropriately valued, supporting the continued operation of resources
12 necessary for grid reliability and resilience; and

13 **WHEREAS**, state and federal renewable energy mandates, while promoting the
14 development of weather-dependent generation, do not fully account for impacts on grid
15 reliability, market distortions, and the availability of dispatchable generation during periods of
16 peak demand and extreme weather; and

17 **WHEREAS**, under the leadership of President Donald Trump, executive actions, including
18 the "unleashing American energy" executive order, emphasized the importance of maintaining
19 domestic energy reliability, reducing regulatory barriers, and promoting fair competition for all
20 energy resources on a level playing field; and

21 **WHEREAS**, North Dakota supports a diversified energy strategy that includes thermal,
22 renewable, and emerging technologies, such as hydrogen and carbon capture, utilization, and
23 storage, to ensure the state and the nation have access to an affordable, reliable, and resilient
24 energy grid;

25 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
26 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

27 That the Sixty-ninth Legislative Assembly urges Southwest Power Pool and Midcontinent
28 Independent System Operator to take immediate and decisive actions to maintain the reliability
29 of the bulk power system by addressing market failures that have allowed capacity retirements
30 to outpace replacement; and

1 **BE IT FURTHER RESOLVED**, that the Sixty-ninth Legislative Assembly urges the Public
2 Service Commission and North Dakota Transmission Authority to advocate for policies at
3 Midcontinent Independent System Operator and Southwest Power Pool that fairly compensate
4 dispatchable base-load energy resources, accurately value all generation resources based on
5 contributions to grid reliability, and ensure the availability of generation at all hours to meet
6 demand; and

7 **BE IT FURTHER RESOLVED**, that market structures must reflect and promote a balanced
8 energy mix by valuing thermal, renewable, and emerging resources based on the utility's ability
9 to maintain grid reliability, affordability, and resilience; and

10 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
11 to the Federal Energy Regulatory Commission, Public Service Commission, North Dakota
12 Transmission Authority, each member of the North Dakota Congressional Delegation,
13 Midcontinent Independent System Operator, and Southwest Power Pool.