

**Testimony in Support of
Senate Bill 2339
House Energy and Natural Resources Committee**

Good morning, Chairman Porter and Members of the House Energy and Natural Resources Committee, my name is Deb Birgen. I represent Missouri River Energy Services (MRES), a municipal joint action agency serving municipal electric utilities in four states: North Dakota, Iowa, Minnesota, and South Dakota. Our six North Dakota municipal electric members include Cavalier, Hillsboro, Lakota, Northwood, Riverdale, and Valley City. I am presenting this testimony through Todd D. Kranda, the MRES lobbyist. Thank you for allowing MRES to submit testimony in writing.

MRES supports the passage of SB 2339 as common-sense legislation. It limits courts from applying a standard of strict liability to a qualified utility in a cause of action, **if and only if** a utility has met and documented that it has actively engaged in wildfire prevention and mitigation measures. It is important to note that this only puts some guardrails on potential liability and damages. Utilities would still be responsible for property damage and lost production.

SB 2339 has found a commonsense solution that protects ratepayers, while at the same time encouraging investment in mitigation measures.

Therefore, I respectfully ask for a “**Do Pass**” recommendation on **SB 2339** as a balanced approach.