

**2021 HOUSE ENERGY AND NATURAL RESOURCES**

**HB 1060**

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Energy and Natural Resources Committee Coteau AB Room, State Capitol

HB 1060  
1/14/2021

relating to the manner in which public utilities meters may be tested

Chairman Porter opened the hearing on HB 1060 at 9:24 AM. Present: Representatives Porter, Damschen, Anderson, Bosch, Devlin, Heinert, Keiser, Lefor, Marschall, Roers Jones, M Ruby, Zubke, Guggisberg, and Ista.

### Discussion Topics:

- Public utility/third party test gas and electric meters
- Required annual reporting
- Protecting customers
- Public utility electric and gas meters accuracy
- Current testing timetable
- Third party testing expense
- Payment responsibility

Rep Lefor moved a Do Pass, seconded by Rep M Ruby. Roll call vote.

Representatives	Vote
Representative Todd Porter	Y
Representative Chuck Damschen	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Bill Devlin	Y
Representative Ron Guggisberg	Y
Representative Pat D. Heinert	Y
Representative Zachary Ista	Y
Representative George Keiser	Y
Representative Mike Lefor	Y
Representative Andrew Marschall	Y
Representative Shannon Roers Jones	Y
Representative Matthew Ruby	Y
Representative Denton Zubke	Y

Motion carried. 14-0-0 Rep. Guggisburg is the carrier.

### Written testimony:

Patrick Fahn, Director of Public Utilities, Public Service Commission #782

Chairman Porter closed the hearing at 9:38

*Kathleen Davis, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1060: Energy and Natural Resources Committee (Rep. Porter, Chairman)**  
recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB  
1060 was placed on the Eleventh order on the calendar.

## House Bill 1060

**Presented by:** Patrick Fahn, Director of Public Utilities  
Public Service Commission

**Before:** House Energy and Natural Resources Committee  
The Honorable Todd Porter, Chairman

**Date:** January 14, 2021

### TESTIMONY

Mr. Chairman and committee members, I am Patrick Fahn, Director of Public Utilities. I am here to testify on behalf of HB 1060, which provides an amendment to North Dakota Century Code section 49-02-08.

The amendment provides that the Commission shall either test, request a public utility to test, or use a third-party to test gas and electric meters of public utilities.

The Commission previously maintained resources and equipment to conduct tests of public utility meters but due difficulty in staffing an electrical engineer for a period, the Commission promulgated rules to move towards an oversight role in meter testing. Currently, the Commission does not have the necessary equipment to conduct the testing.

The Commission ensures the accuracy of gas and electric meters by requiring tests be conducted by the utility periodically, upon request of the customer, and upon request of a customer with a commission representative

present. Public utilities are required to maintain records of the tests and provide annual reporting to the Commission for an agency review.<sup>1</sup>

The amendments in HB 1060 better reflect the Commission's current practice employed in protecting customers and ensuring the accuracy of public utility electric and gas meters.

Mr. Chairman, this concludes my testimony. Thank you for the opportunity to present this information. I will be happy to answer any questions.

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<sup>1</sup> N.D. Admin. Code chapters 69-09-01 and 69-09-02.

**2021 SENATE POLITICAL SUBDIVISIONS**

**HB 1060**

# 2021 SENATE STANDING COMMITTEE MINUTES

## Political Subdivisions Committee Sakakawea, State Capitol

HB 1060  
2/19/2021

A BILL for an Act to amend and reenact section 49-02-08 of the North Dakota Century Code, relating to the manner in which public utility meters may be tested.
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**Chairman Burckhard** opened the hearing on HB 1060 at 8:30 a.m. Members present: Burckhard, Anderson, Lee, Larson, Kannianen, Oban, Heitkamp.

### Discussion Topics:

- Equipment testing
- Third party verification

**[8:33] Patrick Fahn, Director, Public Utilities Division.** Provided testimony #6971 in favor.

**Senator Larson** moves **DO PASS**.

**Senator Oban** seconded.

Senators	Vote
Senator Randy A. Burckhard	Y
Senator Howard C. Anderson, Jr.	Y
Senator Jason G. Heitkamp	Y
Senator Jordan Kannianen	Y
Senator Diane Larson	Y
Senator Judy Lee	Y
Senator Erin Oban	Y

The motion passed 7-0-0

**Senator Larson** will carry HB 1060.

**Additional written testimony:** N/A

**Chairman Burckhard** closed the hearing on HB 1060 at 8:40 a.m.

*Patricia Lahr, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1060: Political Subdivisions Committee (Sen. Burckhard, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1060 was placed on the Fourteenth order on the calendar.



## House Bill 1060

**Presented by:** Patrick Fahn, Director of Public Utilities  
Public Service Commission

**Before:** Senate Political Subdivisions Committee  
The Honorable Randy Burckhard, Chairman

**Date:** February 19, 2021

### TESTIMONY

Mr. Chairman and committee members, I am Patrick Fahn, Director of Public Utilities. I am here to testify on behalf of HB 1060, which provides an amendment to North Dakota Century Code section 49-02-08.

The amendment provides that the Commission shall either test, request a public utility to test, or use a third-party to test gas and electric meters of public utilities.

The Commission previously maintained resources and equipment to conduct tests of public utility meters but due difficulty in staffing an electrical engineer for a period, the Commission promulgated rules to move towards an oversight role in meter testing. Currently, the Commission does not have the necessary equipment to conduct the testing.

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