

2025 SENATE ENERGY AND NATURAL RESOURCES

SB 2116

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee Peace Garden Room, State Capitol

SB 2116
1/17/2025

Relating to public hearings for energy conversion and transmission facilities and relating to public hearings and light-mitigating technology systems.

8:59 a.m. Chairman Patten called the meeting to order.

Members present: Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Separate public input and technical hearings.

9:00 a.m. Jill Kringstad, Commissioner, Public Service Commission, testified in favor and submitted testimony #29618.

9:04 a.m. John Schuh, Legal Counsel, Public Service Commission, testified in favor.

9:05 a.m. Dennis Pathroff, Power Companies of ND, testified in favor and submitted testimony #29237.

9:06 a.m. Chairman Patten closed the hearing.

9:07 a.m. Senator Kessel moved a Do Pass.

9:07 a.m. Senator Gerhardt seconded the motion.

Senators	Vote
Senator Dale Patten	Y
Senator Greg Kessel	Y
Senator Todd Beard	A
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Justin Gerhardt	Y
Senator Desiree Van Oosting	Y

Motion passed 6-0-1.

Senator Gerhardt will carry the bill.

Additional written testimony:

Zachary Cassidy, Carbon Pipeline Organizer and Lobbyist, Dakota Resource Council, submitted testimony in favor #29533.

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9:09 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2116 ([25.8062.01000](#))

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2116 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.



Chairman Patten and members of the Senate Energy and Natural Resources Committee, The Power Companies of North Dakota (“PCND”) urges a “Do Pass” recommendation on SB 2116.

PCND is a coalition of the state’s leading shareholder-owned gas and electric utilities. Our members include MDU Resources Group, Xcel Energy, Otter Tail Power Company, and ALLETE. Together, PCND members serve over 427,000 North Dakota customers, employ over 1,200 North Dakotans, and manage significant power generation and transmission infrastructure across our state.

Today, we express PCND’s strong support for SB 2116, the bill related to public hearings for energy conversion and transmission facilities. This bill allows for a more efficient and cost-effective siting process while maintaining the critical public participation components.

Under the current framework separate technical-style hearings must be held in each county affected by proposed facilities. While this approach ensures public input, it often results in redundant proceedings, delayed timelines, and increased costs for both the state and developers. SB 2116 addresses these inefficiencies by allowing for a single technical hearing while maintaining a public input session in each county.

By balancing efficiency and public engagement, SB 2116 ensures that critical energy infrastructure projects can move forward in a more timely, cost-effective manner while still maintaining robust public participation.

As such, we strongly urge a “Do Pass” recommendation on SB 2116.

Thank you, Chairman Patten and committee members, for your time and consideration.

Dear Mr. Chair and members of the Senate Energy Natural Resources Committee. I am Zachary Cassidy, Carbon Pipeline Organizer and lobbyist for Dakota Resource Council. I am writing today to express my and DRC's support for SB 2116, which we believe will create reasonable requirements on wind farms, specifically to limit light pollution. Working in this state I have heard again and again how much of a nuisance these large wind projects can be. This builds animosity to these projects as well impacting people's quality of life, especially their sleep. Light pollution creates a very serious nuisance that can impact people's sleep and general quality of life. While we are supportive of renewable energy, we also believe it should be done responsibly and we see this bill as a step towards limiting the worst impacts of these projects. As such DRC supports this bill and recommends that it pass. Thank you to the chair and members of your committee for your time.

Senate Bill 2116

Presented by: Jill Kringstad, Commissioner
Public Service Commission

Before: Senate Energy and Natural Resources Committee
The Honorable Dale Patten, Chair

Date: January 17, 2025

TESTIMONY

Chair Patten and members of the committee, my name is Jill Kringstad, and I serve as a Commissioner on the Public Service Commission. I appreciate the opportunity to testify today on SB 2116.

During the siting process, the Commission holds public hearings that include two primary components: (1) The evidentiary portion – which allows the applicant, the Commission, and intervenors to present evidence and cross-examine witnesses; and (2) The public input portion – this gives the general public a chance to share their views and issues, which the Commission considers in its decision-making.

In contentious cases, the evidentiary portion can stretch on for much of the day(s), often leaving little time for public input. This has sometimes resulted in members of the public leaving before sharing their thoughts or losing interest altogether. Additionally, for electric or pipeline transmission projects that require hearings across multiple counties, the current process often leads to duplicative presentations of evidence, creating inefficiencies in travel and witness testimony.

SB 2116 addresses these issues by giving the Commission the flexibility to hold separate public hearings and technical hearings. This change would allow the Commission to visit communities specifically for public input while conducting a single, consolidated evidentiary hearing on technical matters.

This updated approach offers several important benefits:

1. Better accessibility for public input: Public hearings focused solely on public input make it easier for impacted landowners to participate.
2. Streamlined scheduling: Consolidating technical hearings simplifies planning for all parties, including the Commission.
3. A clearer evidentiary record: This helps the Commission make faster decisions and supports quicker court resolutions in the event of an appeal.

It's also important to note that technical hearings would remain open to the public and are livestreamed on the PSC website ensuring transparency. Beyond these benefits, this change should reduce costs and legal fees for applicants and intervenors, benefiting all stakeholders.

Chair Patten, this concludes my testimony. Thank you for your time and consideration, and I'm happy to answer any questions.

2025 HOUSE ENERGY AND NATURAL RESOURCES

SB 2116

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

SB 2116

3/20/2025

Relating to public hearings and light-mitigating technology systems.
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2:21 p.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak,
Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, M. Ruby,
Conmy, Foss

Discussion Topics:

- Equitable Time Management
- Evidentiary Record

2:21 p.m. Jill Kringstad, Public service commissioner, testified in favor and submitted testimony. #43091

2:25 p.m. Troy coons, Northwest Landowners Association, testified in favor.

2:26 p.m. Representative Dockter moved a Do Pass.

2:26 p.m. Representative J. Olson seconded the motion.

Representatives	Vote
Representative Todd Porter	Y
Representative Dick Anderson	Y
Representative Anna Novak	Y
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared c. Hagert	Y
Representative Craig Headland	Y
Representative Pat D. Heinert	Y
Representative Jorin Johnson	Y
Representative Andrew Marschall	Y
Representative Jeremy L. Olson	Y
Representative Matthew Ruby	Y

Motion Carried: 13-0-0

2:27 p.m. Representative Dockter moved to place SB 2116 on the Consent Calendar.

2:27 p.m. Representative M. Ruby seconded the motion

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Voice vote: Motion carried

Bill Carrier: Representative Foss

2:28 p.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2116 ([25.8062.01000](#))

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2116 was placed on the Tenth order on the calendar.

Senate Bill 2116

Presented by: Jill Kringstad, Commissioner
Public Service Commission

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

Date: March 19, 2025

TESTIMONY

Chair Porter and members of the committee, my name is Jill Kringstad, and I serve as a Commissioner on the Public Service Commission. I appreciate the opportunity to testify today on SB 2116.

During the siting process, the Commission holds public hearings that include two primary components: (1) The evidentiary (which we refer to as a technical) portion – which allows the applicant, the Commission, and intervenors to present evidence and cross-examine witnesses; and (2) The public input portion – this gives the general public a chance to share their views and issues, which the Commission considers in its decision-making.

In contentious cases, the evidentiary portion can stretch on for much of the day(s), often leaving little time for public input. This has sometimes resulted in members of the public leaving before sharing their thoughts or losing interest altogether. Additionally, for electric or pipeline transmission projects that require hearings across multiple counties, the current process often leads to duplicative presentations of evidence, creating inefficiencies in travel and witness testimony.

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It's also important to note that technical hearings would remain open to the public and are livestreamed on the PSC website ensuring transparency. Beyond these benefits, this change should reduce costs and legal fees for applicants and intervenors, benefiting all stakeholders.

Chair Porter, this concludes my testimony. Thank you for your time and consideration, and I'm happy to answer any questions.