



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
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Sent via email only

18 August 2021

Vonette Richter
Code Reviser
North Dakota Legislative Council
State Capitol
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360
vrichter@nd.gov

Re: Notice of Intent to Amend Administrative Rules
PSC Case Numbers PU-21-360

Dear Ms. Richter:

The Public Service Commission recently passed a motion to propose changes to its administrative rules and issue notices. The rules are a result of legislative change that occurred in the passage of Senate Bill 2313 of the Sixty-seventh Legislative Session. Consequently, enclosed please find copies of:

- Commission Motion to Propose Revisions to the North Dakota Administrative Code and Issue Notices;
- Proposed rule changes that were the subject of the Motion; and
- Notice of Intent to Amend Administrative Rules and Notice of Public Hearing.

If you have any questions please do not hesitate to call.

Best Regards,

Brian Johnson
Legal Counsel

attachments

APPROVED

DATE: 08/18/2021
PJT

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Public Service Commission
Standards of Service - Electric
Rulemaking

Case No. PU-21-360

MOTION

August 18, 2021

I move the Commission propose to amend the North Dakota Administrative Code as attached, issue a Notice of Intent to Amend Administrative Rules and Notice of Public Hearing, and issue an abbreviated Notice of Intent to Amend Administrative Rules and Notice of Public Hearing for publication in each official county newspaper throughout the state as required by law, in Public Service Commission, Standards of Service - Electric, Rulemaking, Case No. PU-21-360.

Amend Section 69-09-02-06 Continuity of Service

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Public Service Commission
Standards of Service - Electric
Rulemaking**

Case No. PU-21-360

**NOTICE OF INTENT TO ADOPT ADMINISTRATIVE RULES AND NOTICE OF
PUBLIC HEARING**

August 18, 2021

PLEASE TAKE NOTICE that the Public Service Commission will hold a public hearing to address a proposed amendment to Article 69-09-02 of the North Dakota Administrative Code concerning electric public continuity of service. The purpose of the proposed rule amendment is to address reporting requirements and criteria for a public utility's reliable service obligation pursuant to the passage of Senate Bill 2313 of the Sixty-seventh Legislative Assembly.

A public hearing will be held on the proposed rules at **1:30 p.m., Central Time on September 22, 2021 in the Commission Hearing Room, 12th floor, State Capitol, Bismarck, North Dakota.** The public is also encouraged to view the hearing electronically via <https://psc.nd.gov/public/meetings/live.php> or listen telephonically by dialing 1-888-585-9008 with room code 259-316-322.

The proposed adoption and revisions to the North Dakota Administrative Code are as follows:

Case No. PU-21-360 - proposed Amdended Section 69-09-02-06 – Standards of Service - Electric

The purpose of the proposed new section in 69-09-02-06 is to establish rules and guidelines as directed by the Legislature for assessment of penalties, fines, or disallowances if an electric public utility fails to meet its obligation to provide reliable service to customers within the state. The proposed rules also clarify information required and the manner in which electric public utilities shall report records and statistics relating to reliable service to its customers.

The proposed amendments are not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the Public Service Commission's offices on the 12th floor of the State Capitol, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota. A copy of the proposed rules or amendments and/or a regulatory analysis may

be requested by writing the above address, emailing ndpsc@nd.gov, or calling 701-328-2400, toll free 1-877-245-6685, Relay North Dakota TTY 1-800-366-6888. This information is also available on the Commission's web site at www.psc.nd.gov under Case Search.

Oral or written comments on the proposed rules may be submitted to the above address, email, and phone numbers. Oral and written comments received by the close of business on October 4, 2021, will be fully considered.

Interested persons may attend and submit comments at the hearing.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please notify the Commission at the above telephone number or address at least 24 hours prior to the public hearing.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
Chair



Brian Kroshus
Commissioner