You should know...

North Dakota Public Service Commission

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About the ND Public Service Commission (PSC)

North Dakota Public Service Commission

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HISTORY & FUNCTION

Dakota Territory established a Board of Railroad Commissioners in 1885, with general jurisdiction over railroads, sleeping car companies, express companies, and telegraph companies. At statehood, the Constitution of ND provided for election of a Board of Railroad Commissioners with powers and duties prescribed by law. In 1940, its name was changed to Public Service Commission (PSC).

The Legislature has significantly broadened the duties of the PSC. Today, the Commission has varying degrees of jurisdiction over electric and natural gas utilities, telecommunications companies, weights and measures, grain elevators, auctioneers, reclamation of mined lands, the siting of energy plants and electric and natural gas transmission facilities, and, to a lesser degree, railroads. The Commission does not have jurisdiction over the rates of rural electric or telephone cooperatives or small telephone companies.

COMMISSIONERS

ND has three Public Service Commissioners, each elected to six-year terms. One Commissioner is up for election every two years.

The Commissioner's workload is divided into portfolios to facilitate the handling of cases. Regardless of portfolio assignments, the Commissioners exercise equal authority and share equal responsibility for every decision. Present Commissioners and their portfolios are:

Brian Kalk: business operations, electric generation & transmission, telecommunications and pipeline safety.

Randy Christmann: coal mining, reclamation and abandoned mine lands; licensing (grain and auctioneers); and weights and measures.

Julie Fedorchak: gas & electric distribution, pipeline siting, railroads and consumer affairs.

ORGANIZATION

The Commission has 44 full-time employees (including Commissioners). The staff is divided into support services groups and five divisions that provide direct regulatory oversight and consumer assistance.

Executive Secretary: is appointed by the PSC to coordinate operations and communications. (Darrell Nitschke, Executive Secretary/Director of Administration)

General Counsel: The Attorney General is the Attorney for the Commission, but based on Commission recommendation appoints General Counsel to act as a legal advisor to the Commission.
(Illona Jeffcoat-Sacco, General Counsel)

Abandoned Mine Lands (AML) Division: administers a federal program to eliminate hazards and environmental problems associated with abandoned mines. It investigates AML sites, designs reclamation projects, submits applications for federal funds, and manages construction projects under public contracts.
(Jim Deutsch, Director)

Licensing Division: licenses and handles complaints associated with grain elevators, grain and hay buyers, auctioneers, and auction clerks. It also helps the Commission represent ND's rail interests before federal agencies and Congress.
(Sue Richter, Director)

Public Utilities: responsibilities and functions relating to public utilities are divided between two divisions.

Compliance and Competitive Markets Division monitors and enforces utility (telecommunications, pipelines, natural gas and electricity) compliance with applicable laws, rules,

About the ND Public Service Commission (PSC)
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orders, procedures and tariffs. The division enforces siting requirements to ensure that the location, construction and operation of energy conversion and transmission facilities will have minimal adverse effects on the environment and people.

This division also manages the Weights and Measures Program, which promotes a fair basis for commercial transactions by testing the accuracy of commercial weighing and measuring devices and the Gas Pipeline Safety Program with responsiblity over pipeline safety standards for intrastate gas distribution and transmission systems.
(Pat Fahn, Director)

Economic Regulation Division is responsible for regulation of the rates, terms and conditions of retail electric service provided by investor-owned utilities. The Commission does not have jurisdiction to regulate rates, terms and conditions for rural electric cooperatives or municipal providers.
(Mike Diller, Director)

Reclamation Division: is responsible for the administration and enforcement of state law regarding surface coal mining and reclamation operations. It also administers Commission authority under the Surface Owner Protection Act.
(Jim Deutsch, Director)

INQUIRIES

General correspondence may be addressed to the Executive Director. Specific inquiries may be addressed to the respective division directors.

Requests for hearing, ruling, or participation in rulemaking should be addressed to the Executive Secretary unless the public notice directs otherwise.

Consumers wanting to file complaints against regulated entities should ask for the Consumer Affairs Specialist.