

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Federal 2005 Energy Policy Act Standards
Investigation**

Case No. PU-06-290

**ORDER OPENING INVESTIGATION AND
NOTICE OF WORKSHOP**

July 26, 2006

On August 8, 2005 the federal Energy Policies Act of 2005 (Act) was enacted. Subtitle E of the electricity title (Title XII) of the Act amends the Public Utility Regulatory Policies Act of 1979 (PURPA) to require each state regulatory authority to consider adopting certain specified energy policy standards.

Section 1251 of the Act amends PURPA to require that states conduct an investigation and issue a decision whether to adopt three new standards:

1. A net metering standard that would require electric utilities to make net metering available to customers upon request;
2. A fuel sources standard that would require each utility to develop a plan to minimize dependence on one fuel source and insure use of a diverse range of fuels and technologies, including renewables; and
3. A fossil fuel efficiency standard that would require each utility to develop a 10-year plan to increase the efficiency of its fossil fuel generation.

Proceedings under section 1251 are to be started within two years and completed within three years after enactment of the Act.

Section 1252 of the Act amends PURPA to require that states conduct an investigation and issue a decision whether to require utilities to install time-based meters that would enable, but not require, each customer to participate in time-of-use rates and demand response programs. Proceedings are to be started within one year and completed within two years after enactment.

Section 1254 of the Act amends PURPA to require that states consider adopting new standards for grid interconnection based on IEEE Standard 1547 for Interconnecting Distributed Resources with Electric Power Systems. Proceedings are to be started within one year and completed within two years after enactment.

Order

The Commission Orders that an investigation is opened to consider whether to propose rules to adopt any or all of the new PURPA standards suggested under sections 1251, 1252 or 1254 of the Act.

Notice of Workshop

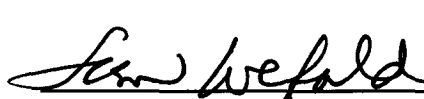
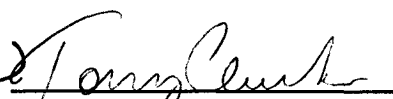

A workshop will begin on **October 23, 2006 at 10 a.m. CDT** in Room 302 of the Judicial Wing, State Capitol, Bismarck, ND 58505. The issues to be considered are:

1. Whether the Commission should adopt any or all of the standards under sections 1251, 1252 or 1254 of the Act;
2. Whether the Commission should adopt different or modified standards from those described in sections 1251, 1252 or 1254 of the Act; and,
3. What compensation, if any, should be made available to consumers under PURPA section 122 for their reasonable expenses incurred by participating or intervening in this proceeding.

Those interested are encouraged to **comment in writing prior to October 6, 2006**, but prior written comments will not be required in order to participate at the workshop. Formal intervention is not necessary to participate in this proceeding, but anyone wishing to become a formal party must file a petition to intervene with the Commission prior to the workshop. Consumers should be aware that, under certain conditions, compensation for expenses incurred by participation or intervention in this proceeding may be available under PURPA section 122.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION

		
Susan E. Wefald Commissioner	Tony Clark President	Kevin Cramer Commissioner