

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Public Utilities – Siting  
Rulemaking**

**Case No. PU-06-501**

**STAFF TESTIMONY**

**November 26, 2007**

My name is Patrick Fahn. I am employed as a Public Utility Analyst in the Public Utility Division of the Public Service Commission. The purpose of my testimony is to explain a proposed new section to Commission administrative rules Chapter 69-06-01 pertaining to refunding the remaining balance of a siting application fee.

Under North Dakota Century Code Section 49-22-22 of the Energy Conversion and Transmission Facility Siting Act, every applicant for a certificate of site compatibility, a certificate of corridor compatibility or a waiver or siting procedures must pay to the Commission an application fee. The Commission must deposit application fees into the Siting Process Expense Recovery Fund established in the state treasury. All moneys deposited in the fund are appropriated on a continuing basis to the Commission to pay expenses incurred in the siting process. The Commission must refund the portion of fees collected which exceeds the expenses incurred for the evaluation and designation process.

The new section to the Commission's administrative rules is intended to set out a process for refunding to an applicant the portion of the applicant's statutory siting application fee that is not used in processing the case.

That concludes my testimony in Case No. PU-06-501. Thank you.