

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Siting
Rulemaking

Case No. PU-10-128

PUBLIC SERVICE COMMISSION STAFF TESTIMONY

July 14, 2010

I am Jerry Lein, Public Utilities Analyst with the Public Service Commission.

Siting proposed rules incorporate a minor change relating to determining corridor size, a proposed rule concerning requests for jurisdictional determinations, and a proposed rule concerning letters of intent to file an application.

The minor change related to determining corridor size is proposed for section 69-06-04-02(1)(b), which currently specifies a minimum corridor size “unless approved by the Commission.” The proposed change would substitute the language “otherwise determined” for the word “approved” to clarify that the Commission can designate a smaller corridor without first receiving a request from the applicant.

The rest of the proposed changes to the siting rules are intended to separate requests for jurisdictional determination from the letter of intent process. Language allowing a letter of intent to include a request for jurisdictional determination would be removed from section 69-06-03-01 and

instead there would be a new chapter 69-09-02.1 to specify the information required when asking for a jurisdictional determination.

A Statement on Regulatory Analysis, Takings Assessment, and Small Entity Regulatory Analysis was prepared and filed on June 2, 2010, for this Siting rulemaking proceeding.

The Commission has not received any written comments concerning this proceeding.

This concludes my testimony. I would be happy to answer any questions at this time.