

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Public Service Commission  
Siting- Letter of Intent- Repeal  
Rulemaking

Case No. PU-13-683

AFFIDAVIT OF SERVICE BY REGULAR MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Cara DeSaye deposes and says that:

she is over the age of 18 years and not a party to this action and, on the 2<sup>nd</sup> day of August, 2013, she deposited in the United States Mail, at Bismarck, North Dakota, three envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of:

Notice of Meeting on Repeal of Obsolete Rule

The envelopes were addressed as follows:

Stanley Lyson  
State Senator  
1608 Fourth Avenue West  
Williston ND 58801-4127

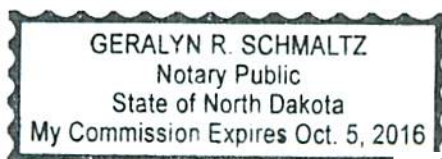
Todd Porter  
State Representative  
4604 Borden Harbor Drive SE  
Mandan ND 58554-7961

George Keiser  
State Representative  
422 Toronto Drive  
Bismarck ND 58503-0276

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 2<sup>nd</sup> day of August, 2013.

SEAL



*Cara DeSaye*  
\_\_\_\_\_  
*Geralyn R. Schmaltz*  
\_\_\_\_\_  
Notary Public

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

NOTICE OF MEETING ON REPEAL OF OBSOLETE RULE  
July 30, 2013

Public Service Commission  
Siting - Letter of Intent - Repeal  
Rulemaking

Case No. PU-13-683

In 2013, North Dakota's 63rd Legislative Assembly passed House Bill No. 1147, an act that, amongst other things, repealed North Dakota Century Code (N.D.C.C.) Section 49-22-07.1 relating to letters of intent. An existing Commission rule, N.D. Admin. Code Chapter 69-06-03, covers letters of intent in siting cases and implements N.D.C.C. § 49-22-07.1.

Because the law implemented by N.D. Admin Code Chapter 69-06-03 has now been repealed the North Dakota Public Service Commission requested that the Legislative Council repeal N.D. Admin. Code Chapter 69-06-03 under the procedure specified in N.D.C.C. § 28-32-18.1. Under N.D.C.C. § 28-32-06 the statute authorizing the Public Service Commission to implement the state's siting laws no longer includes any reference to letters of intent, the rule is obsolete. Consequently, and because repeal of the rule would not work a detriment to the regulated community, the Commission requested repeal of N.D. Admin Code Chapter 69-06-03 under the N.D.C.C. § 28-32-18.1.

The Administrative Rules Committee will consider the PSC's request at a meeting on **September 12, 2013** in the **Roughrider Room**, State Capitol, Bismarck North Dakota 58505. An agenda for the meeting has not yet been finalized. Please refer to the website for the North Dakota Legislative Branch for agenda details when they become final, [www.legis.nd.gov](http://www.legis.nd.gov).

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or 877-245-6685 (toll free in North Dakota), 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 the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION

  
Randy Christmann  
Commissioner

  
Brian P. Kalk  
Chairman

  
Julie Fedorchak  
Commissioner