

pamradtkerussell@gmail.com
PAMELA RADTKE RUSSELL

gkeiser@nd.gov
Rep. George J. Keiser

422 Toronto Dr
Bismarck ND 58503-0276

wboeshans@bnicoal.com
Wade Boeshans
BNI Coal, Ltd.
1637 Burnt Boat Dr.
Bismarck ND 58503

carp1091@qwestoffice.net
Robert Colton
Carpenters Union
217 S Mandan St
Bismarck ND 58504-5516

bbjella@crowleyfleck.com
Brian R. Bjella
Crowley Fleck PLLP
PO Box 2798
Bismarck ND 58502-2798

jmittleider@nd.gov
John Mittleider
Department of Commerce
600 East Blvd
Bismarck ND 58505

tamie.aberle@mdu.com
Tamie Aberle
Great Plains Natural Gas Co.
400 N 4th St
Bismarck ND 58501

don.sturtevant@simplot.com
Don Sturtevant, PE
J R Simplot Company One Capital Center
999 Main Street PO Box 27
Boise ID 83707-0027

kdlrkdv1@stellarnet.com
News Director
KDLR AM and KDVL, KQZZ FM Radio
Box 190
Devils Lake ND 58301-0190

news@ksjbam.com
News Director
KSJB AM and KSJZ FM Radio
PO Box 5180
Jamestown ND 58402-5180

kzzynews@stellarnet.com
News Director
KZZY FM Radio
P O Box 190
Devils Lake ND 58301-0882

sandi.tabor@kljeng.com
Sandi Tabor
Lignite Energy Council
PO Box 2277
Bismarck ND 58502-2277

johndwyer@lignite.com
John Dwyer
Lignite Energy Council
PO Box 2277
Bismarck ND 58502-2277

cityofmaddock@gondtc.com
Kevin Winson
Maddock Municipal Utilities
Box 276
Maddock ND 58348-0276

dpschmitz@bis.midco.net
Dave Schmitz
Minnesota Power
1637 Burnt Boat Drive PO Box 897
Bismarck ND 58502-0897

Kevin.Nelson@us.af.mil
Kevin Nelson
Minot Air Force Base

mike.nilson@minot.af.mil
Mike Nilson
Minot Air Force Base

tamie.aberle@mdu.com
Tamie Aberle
Montana-Dakota Utilities Co
400 North 4th Street
Bismarck ND 58502-1457

jpaczkowski@nd.gov
John Paczkowski
N D Water Commission
900 E Boulevard
Bismarck ND 58505

hfuglest@ndarec.com
Harlan Fugelsten
ND Assn Rural Electric Cooperatives
PO Box 727
Mandan ND 58554-0727

candie@ndpelsboard.org
Candie Robinson
ND State Board of Registration for Professions
PO Box 1357
Bismarck ND 58502

pat@ndta.net
Patricia Gisinger
North Dakota Telephone Association
PO Box 2614
Bismarck ND 58502-2614

gcoyne@otpc.com
Geri Coyne
Otter Tail Corporation
PO Box 410
Oakes ND 58474-0410

tkporter@nd.gov
Todd Porter
State Representative
4604 Borden Harbor Drive SE
Mandan ND 58554

shewson@nd.gov
Sara Hewson
State Tax Department
State Capitol
Bismarck ND 58505

jessica.n.johnson@fws.gov
Jessica Johnson
US Fish & Wildlife Service
3425 Miriam Ave
Bismarck ND 58501

jshaffer@usgs.gov
JILL SHAFFER
US GEOLOGICAL SURVEY
8711 37TH ST SE
JAMESTOWN ND 58401

tprice@wapa.gov
Thomas Price
Western Area Power Administration
PO Box 1173
Bismarck ND 58502-1173

megan.hertzler@xcelenergy.com
Megan Hertzler
Xcel Energy Services Inc.
414 Nicollet Mall, 5th Flr
Minneapolis MN 55401

kevin.nelson@ulteig.com
Kevin Nelson
ND State Board of Registration for Professions
PO Box 1357
Bismarck ND 58502

rusty.clark@oneok.com
Russ Clark
ONEOK Partners
100 W. 5th Street
Tulsa OK 74103

stanton@westriv.com
Vernon Laning
Stanton Municipal Power System
PO Box 156
Stanton ND 58571-0156

slyson@nd.gov
Stanley Lyson
State Senator
1608 Fourth Avenue West
Williston ND 58801-4127

leann.eckroth@bismarcktribune.com
LeAnn Eckroth
The Bismarck Tribune
PO Box 5516
Bismarck ND 58502-5516

jeffrey.towner@fws.gov
Jeffrey Towner
US FISH & WILDLIFE SERVICE
3425 MIRIAM AVE
BISMARCK ND 58501-7926

jkapsner@vogellaw.com
John Kapsner
Vogel Law Firm
P O Box 2097
Bismarck ND 58502-2097

dave.sederquist@xcelenergy.com
Dave Sederquist
Xcel Energy
2302 Great Northern Dr PO Box 2747
Fargo ND 58108-2747



Public Service Commission State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Memorandum

To: Interested Parties

From: Patrick Fahn, Director of Compliance & Competitive Markets

Date: August 2, 2013

Subject: Case No. PU-13-683 – Siting – Letter of Intent – Repeal Rulemaking

North Dakota's 63rd Legislative Assembly passed House Bill No. 1147, repealing North Dakota Century Code (N.D.C.C.) Section 49-22-07.1 of the North Dakota Energy Conversion and Transmission Facility Siting Act (N.D.C.C. Chapter 49-22). N.D.C.C. § 49-22-07.1 provided for letters of intent prior to construction. An existing Public Service Commission rule, N.D. Admin. Code Chapter 69-06-03, covers letters of intent in siting cases.

Because the Legislature has repealed N.D.C.C. § 49-22-07.1, the Commission started the streamlined process of repealing N.D. Admin. Code Chapter 69-06-03, as the statute no longer includes any reference to letters of intent, rendering the rule obsolete. This process is set out in N.D.C.C. § 28-32-18.1

The attached notice provides more detail and the date and place the Administrative Rules Committee will be discussing the repeal of N.D. Admin. Code Chapter 69-06-03. The chapter in question, N.D. Admin. Code Chapter 69-06-03, is also attached.

Any questions can be addressed to 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.

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.

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

**CHAPTER 69-06-03
LETTER OF INTENT**

Section	
69-06-03-01	Filing
69-06-03-02	Contents

69-06-03-01. Filing. Any utility planning to construct an energy conversion or transmission facility shall file a letter of intent with the commission.

History: Amended effective April 1, 2011; April 1, 2013.

General Authority: NDCC 49-22-18

Law Implemented: NDCC 49-22-07.1

69-06-03-02. Contents. A letter of intent must contain the following:

1. A description of the size and type of facility, and the area to be served.
2. A map of the study area for the proposed site or corridor.
3. The anticipated construction and operation schedule.
4. An estimate of the total cost of construction which will be used to determine the filing fee that must accompany the application.

History: Amended effective April 1, 2011; April 1, 2013.

General Authority: NDCC 49-22-18

Law Implemented: NDCC 49-22-07.1