



August 30, 2019

Mr. Steven Kahl  
Executive Secretary and Director of Administration  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505

RE: Case No. PU-19-291/Public Service Commission Wind Decommissioning Rulemaking

Dear Mr. Kahl:

Basin Electric Power Cooperative (**Basin Electric**) is a regional, consumer-owned, generation and transmission cooperative formed in 1961 to supply supplemental power to a consortium of rural electric distribution cooperatives. Basin Electric's core business is generating and delivering electricity to wholesale customers, primarily our member systems. As of the 2019, Basin Electric operates 7,051 MW of electric generating capacity including coal, wind, natural gas, and nuclear. Basin Electric supplies 141 rural electric member cooperative systems with wholesale electric power who in turn serve approximately 3 million consumers in a nine-state area. Further, Basin Electric owns and operates the PrairieWinds wind project near Minot, North Dakota. Basin Electric respectfully submits the following comments to the Public Service Commission on the above mentioned docket.

Basin Electric proposes to change the proposed language, located in 69-09-09-08 to include electric cooperatives in 5. b. (2). As proposed, the definition of "an electric public utility" would exclude Basin Electric as Basin Electric is not considered an "Electric public utility". In the definitions statute, electric cooperatives are an "electric provider". Thus, we are requesting the Commission replace "Electric public utility" with "electric provider" as in the statute, "Electric provider" means either an electric public utility or a rural electric cooperative.

This would allow both investor owned utilities (IOUs) and electric cooperatives to be covered as utilities under 5. b. (2) since 5. b. (1) primarily relates to wind project developers. If circumstances that currently qualify Basin Electric under 5. b. (1) would change, or federal policies would shift to make it attractive for cooperatives to construct and own wind projects, we would appreciate the option to qualify under 5. b. (2) as investor owned utilities do since both entities, IOUs and cooperatives, are subject to meet state regulatory rules regarding wind decommissioning.

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In summary, Basin Electric's specific request is outlined below in red:

**69-09-09-08. Financial assurance.**  
**Page 6 Section 5. b. (2)**

2) An electric ~~provider~~ **public utility** as defined by subsection **2 1** of North Dakota Century Code section 49-03-01.5.

Basin Electric concurs with all of the additional suggested changes within the docket that relate to 69-09-09, with this one minor exception.

Basin Electric appreciates the opportunity to comment and welcomes additional dialogue and conversations with the commission regarding this and any other administrative issues. If you need additional information regarding this, please contact Jean Schafer at [jshafer@bepc.com](mailto:jshafer@bepc.com) or 701.557.5415.

Sincerely,



Casey Jacobson  
Senior Staff Counsel

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