

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Wind Decommissioning  
Rulemaking**

**Case No. PU-19-291**

**PUBLIC SERVICE COMMISSION STAFF TESTIMONY**

**September 19, 2019**

My name is Jerry Lein. I am a Public Utility Analyst in the Public Utilities Division of the Public Service Commission. The purpose of my testimony is to describe proposed changes to ND Admin. Code Chapter 69-09-09 administrative rules pertaining to wind farm decommissioning.

While the proposed changes include some minor language tweaks to improve clarity, the primary purpose of these changes is to clarify that decommissioning Chapter 69-09-09 applies to wind projects that were not required to obtain a site certificate from the Commission. Present law requires a site certificate for wind projects with 500 kW or more of generating capability, but there were previous time periods when that threshold was 50 MW and 99 MW . As a result, some projects constructed during those times were not sited.

Section 69-09-09-01(7) defines "Existing facility" and is being expanded to include existing wind projects for which a site certificate was not issued.

Section 69-09-09-01(9) defines owner and is being expanded to include owners of facilities for which no site certificate was issued.

There is one other substantive change being proposed to eliminate Section 69-09-09-08(5)(b)(2), which was determined unnecessary because the requirements in subsection 69-09-09-08(5)(b)(1) are sufficient

That concludes my Testimony.

Thank you