

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Public Service Commission
Infrastructure Investment and Jobs Act
Investigation**

Case No. PU-22-143

**ORDER REQUESTING COMMENT
REGARDING THE INFRASTRUCTURE
INVESTMENT AND JOBS ACT**

March 9, 2022

On November 15, 2021, the President of the United States signed The Infrastructure Investment and Jobs Act (IIJA), H.R. 3684, 117th Cong. (2021). Among other things, the IIJA provides new funding for projects including generation, transmission, grid reliability and resiliency, energy efficiency, and cybersecurity. Although this list is not exhaustive, the Commission notes that the IIJA provides opportunities to participate in and capture benefits of financing, contracts, grants, loans, private-public partnerships, cooperative agreements in the following areas:

- Energy efficiency improvements and weatherization;
- Alternative fueling infrastructure;
- Build a Better Grid Initiative and grid modernization;
- Clean energy demonstration projects such as energy storage and carbon capture for CO2 emitting and coal generation facilities;
- Preventing outages and enhancing the grid to ensure reliability and resiliency;
- Enhancing grid flexibility and deployment of smart grid investments;
- Transmission development;
- Energy improvements in rural and remote areas;
- Improve reliability of transmission and distribution systems, optimize systems to avoid costs of replacing or upgrading infrastructure, and provide ancillary services for grid stability and management.
- Cybersecurity and protection of critical infrastructure; and
- Preservation of electric grid or natural gas operations.

The Commission finds that it is in the public interest for North Dakota gas and electric investor-owned public utilities to fully consider opportunities that the IIJA may provide to promote safe, reliable, and affordable service. Accordingly, the Commission requests that North Dakota gas and electric investor-owned public utilities file initial written

comments that identify the following:

- a. Opportunities to capture benefits of IIJA financing, contracts, grants, loans, private-public partnerships, cooperative agreements;
- b. Entities with which coordination may be necessary to access available funding, financing, and opportunities;
- c. Current and anticipated coordination with State agencies to access available funding, financing, and opportunities;
- d. Which actions are appropriate for North Dakota gas and electric investor-owned public utilities to take to access available funding, financing, and opportunities;
- e. Actions that may be appropriate for this Commission to consider ensuring receipt and deployment of funding or financing for the benefit of the State or ratepayers; and
- f. Other information or impacts that the Commission should be aware of because of the IIJA.

Having considered this matter, the Commission issues the following:

Order

The Commission orders gas and electric investor-owned public utilities to file initial comments regarding the IIJA with the Commission no later than April 15, 2022.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Julie Fedorchak
Chair



Sheri Haugen-Hoffart
Commissioner