You should know...

North Dakota Public Service Commission

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Energy Conversion and Transmission Facility Siting

What is siting?
Siting is the process used by the Public Service Commission to permit energy conversion and transmission facilities. The process is used to ensure that the location, construction, and operation of energy conversion facilities and transmission facilities will produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota. A utility may not begin construction of an energy conversion facility or transmission facility, or exercise the right of eminent domain in connection with that construction, without first having obtained a certificate of siting compatibility or a route permit from the commission.

What is an energy conversion facility?
- Generation by wind energy conversion exceeding one-half megawatt of electricity;
- Generation by any means other than wind energy conversion exceeding 50 megawatts of electricity;
- Manufacture or refinement of 100 million cubic feet or more of gas per day, regardless of the end use of the gas;
- Manufacture or refinement of 50 thousand barrels or more of liquid hydrocarbon products per day; or
- Enrichment of uranium materials.

What is transmission?
- An electric transmission line and associated facilities with a design in excess of 115kV;
- A gas or liquid transmission line and associated facilities designed for or capable of transporting coal, gas, liquid hydrocarbons, liquid hydrocarbon products, or carbon dioxide; or
  - A liquid transmission line and associated facilities designed for or capable of transporting water from or to an energy conversion facility.

Transmission is not:
- A temporary transmission line loop that is:
  - Connected and adjacent to an existing transmission facility that was sited;
  - Within the corridor of the sited facility and does not cross known exclusion or avoidance areas; and
  - In place for less than one year. A transmission line that is less than one mile (1.61 kilometers) long;
- An oil or gas pipeline gathering system;
- A pipeline with an outside diameter of four and one-half inches (11.43 centimeters) or less that will not be trenched and will be plowed in with a power mechanism having a vertical knife or horizontally directionally drilled, and its associated facilities; or
- A pipeline that is less than one mile (1.61 kilometers) long.

What is a corridor?
A corridor is the general location of a transmission facility.

What is a route?
A route is the specific location of a transmission facility within a designated corridor.
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How does an applicant get a certificate of site compatibility or a corridor and route permit from the Public Service commission?

An application must be filed by the applicant. The application must contain all information required by North Dakota Century Code chapter 49-22 and North Dakota Administrative Code chapter 69-06-04 and chapter 69-06-05.

After the commission determines that the application is complete, the commission serves a notice of filing of the application on various state agencies, local government officials, legislators, and others. The commission also publishes a notice of filing and hearing regarding the application in the official newspaper of each county in which any portion of the site or corridor is proposed to be located. The commission then holds the public hearing in counties where the project is located. If a project is located in more than one county, the commission may hold a consolidated hearing in one county.

Public input is a crucial part of the hearing process. Any comments from members of the public must be received at the hearing to be part of the official record. If you have a statement or question about a project, you are encouraged to attend the hearing and present the information. If the commission receives the information after the hearing, the commission-