

**Testimony of Pius Fischer, Vice President of Transmission, Basin Electric Power  
Cooperative**  
**Before the House Natural Resources Subcommittee on Energy and Mineral Resources**  
**November 16, 2021**  
*Plugging in Public Lands: Transmission Infrastructure for Renewable Energy*

Good morning Chairman Lowenthal, Ranking Member Stauber, and members of the subcommittee. My name is Pius Fischer, I am the Vice President of Transmission for Basin Electric Power Cooperative. I have worked in the electric utility industry for over 30 years, after earning my electrical engineering degree from North Dakota State University. I am also a Registered Professional Engineer.

On behalf of Basin Electric, thank you for the invitation to speak this morning about transmission development on public lands. Basin is a generation and transmission (G&T) cooperative that provides wholesale electricity to 131 rural electric cooperatives who serve approximately three million consumers across nine states, including part or all of 42 persistent poverty counties.

To meet the needs of our member-owners, we operate a diverse generation portfolio consisting of approximately 7,000 megawatts of wind, recovered energy, coal, natural gas, fuel oil, and market purchase agreements. This electricity is delivered through over 2,500 miles of high-voltage transmission. Our generation resources participate in both the Midcontinent Independent System Operator and Southwest Power Pool regional transmission organizations. In total, G&T cooperatives own approximately 72,000 miles of transmission lines across the country.

Over the last twenty years, Basin has made great strides to diversify and decarbonize our electric generation portfolio. In 2000, Basin's portfolio was primarily fossil generation. As of last year, with the addition of nearly 1,800 megawatts of wind, over 30 percent of our generation was renewable and that share will continue to grow with 300 megawatts of utility-scale solar under development. I should also add when it comes to the issue of renewable electricity, some of the very first electrons that powered rural America in Basin's service territory were from hydroelectric dams built by the Federal Government on the Missouri River. Electric cooperatives continue to innovate, adding a record 1.6 gigawatts of new renewable capacity in 2020, with more than 6 gigawatts of announced new renewable capacity coming online from 2021 through 2024. All told, we are extremely proud of our track record and that of the electric cooperative family in reducing carbon dioxide emissions.

Basin has developed this generation and transmission infrastructure over the course of six decades since being incorporated in 1961. In that time we have gained much experience from building transmission infrastructure across federal lands in North Dakota and Wyoming, including lands managed by the U.S. Forest Service and Bureau of Land Management. We believe there is tremendous opportunity to utilize federal lands for both generating renewable electricity, and moving that electricity to load centers. However, when it comes to infrastructure development on federal lands, there are a number of challenges.

Primarily, the process to permit, or otherwise receive the rights to construct transmission on federal land is a years-long process. Environmental analysis under the National Environmental Policy Act (NEPA) can take anywhere from a few months to few years depending on the level of analysis determined by a federal agency. As Basin sought to build a new high-voltage transmission line in response to dramatic load growth as a result of the Bakken oil boom, an environmental impact statement took three years to complete. Comparatively, siting of a transmission line under state statute in North Dakota can often be done in a period of 4-6 months. Obviously, the permitting timeframe can be stretched into several years or longer should any party decide to contest the agency's NEPA analysis.

Even in an instance where a project is covered by a categorical exclusion, approval can take over a year, as was the case when Basin Electric tried to make improvements to a substation located on Forest Service land in 2011 and ultimately received approval in 2013. In addition to NEPA, regulatory challenges can be brought forth under the Endangered Species Act and Migratory Bird Treaty Act.

Generally speaking, the additional time and cost of constructing transmission on federal lands means that the need to cross federal lands becomes a measure of last resort for electric cooperatives. If the federal government really wants to unlock the potential for renewable energy and transmission on these lands, we would make the following recommendations:

- Provide clear NEPA guidance and timeframes for analysis. Encourage the use of categorical exclusions for projects with no or minimal impact.
- Provide regulatory certainty regarding take of species or migratory birds. Despite the implementation of best practices, bird strikes with transmission infrastructure unfortunately will happen. Regulations should provide utilities with protection from take that occurs in the course of otherwise lawful activity such as the presence of a transmission line.
- The Federal Government should approach transmission development with a coordinated, interagency approach. For example, the Federal Energy Regulatory Commission is currently exploring changes to the concept of cost allocation. As a market participant, Basin Electric firmly believes that costs for transmission development should be borne by those who ultimately benefit. Given the overlap between federal lands and the footprint of the Southwest Power Pool and western interconnection generally, any effort to open federal lands up for additional renewable energy and transmission development should ensure that the load centers benefiting from this development bear their share of the cost. Further, any initiative regarding permitting of transmission on federal lands should be done in coordination with the robust planning processes already in place with regional transmission organizations. Let's make sure we are building the right transmission for the best value.

In closing, there is no shortage of challenges as we seek solutions that balance the need for affordable and reliable energy with the challenge of reducing carbon dioxide emissions. We support the role that federal lands can play in expanding the deployment of renewable energy.

However, I would caution if beneficial electrification is a key element of achieving the goal of reducing emissions, driving up the cost of electricity due to increased time and costs for transmission is self-defeating.

Thank you for the opportunity to provide our insight into this matter, and I would be happy to answer any questions you might have.