

Staff Report for 2025 State Board of Equalization

File No.: 2025-REPORT-TRAILL-POLAR COMMUNICATIONS

Prepared By: Property Tax Division

County or City: TRAILL COUNTY

Appellant: POLAR COMMUNICATIONS

Type of Appeal: TELECOMMUNICATIONS LAND

Appeal Issue: Polar Communications, represented by Stacey Loftsgard, is appealing the valuation applied to land taxed under North Dakota Century Code § 57-34, claiming the property should not be locally assessed.

Analysis: Property Tax Division staff conducted a desktop review of the site and has confirmed with Stacey Loftsgard that the improvements to the lot consist of a thermobond building, a propane tank and generator. The building, installed in and operational since 2024, houses fiber optic equipment which provides voice and broadband data service in Traill and Steele Counties. The generator and propane tank are considered critical equipment to maintain telecommunications service during the event of power outage; and therefore, are operative property as described in North Dakota Century Code (N.D.C.C.) § 57-06-03.

Polar Communications is a telecommunications company under the definition of N.D.C.C. § 49-21-01, reports annual gross receipts to the Office of State Tax Commission under N.D.C.C. § 57-34-02, and is subject to telecommunications carrier taxation under N.D.C.C. § 57-34-03.

N.D.C.C. § 57-34-11 provides, "The taxes imposed by this chapter are taxes upon the privilege of doing business in this state and are in lieu of all real and personal property taxes levied by the state or any of its political subdivisions upon real or personal property to the extent the property is directly used by the telecommunications carrier in its telecommunications operations."

The appellant did not appeal at the City of Hatton or the Traill County Board of Equalization meetings.

N.D.C.C. § 57-13-04(3)(a)(1) provides, "The board does not have authority to reduce an assessment until the owner of the property has established to the satisfaction of the board that the owner of the property had first appealed the assessment to the local equalization board of the taxing district in which the property was assessed and to the county board of equalization of the county in which the property was assessed."

Summary of Findings: Although Polar Communications pays telecommunications tax in lieu of real estate property tax for the subject parcel, the appellant did not appeal at all local levels; as required by N.D.C.C. § 57-13-04(3)(a)(1).

Proposal for Board Review: No action required due to non-adherence to the statutory procedure.
