EXHIBIT 40
DATE 1/12/2011
HB 198

Representative James Knox
Montana House of Representatives
PO Box 200400
Helena, MT 59620-0400

Dear Representative Knox:

As one of the committee members who will be hearing proposed Federal Relations, Energy, and Telecommunications bills, specifically, HB 198, I want you to know that we live in Broadwater County, and I oppose House Bill 198 sponsored by Ken Peterson from Billings, Montana. Please prove to your constituents and others in the state of Montana that you are not a corporate Republican and that you uphold private property rights. This bill violates the constitution!

The bill begins with *"an act clarifying a public utility's power of eminent domain; clarifying that a person issued a certificate under the major facility siting act has the power of eminent domain; and providing an immediate effective date and a retroactive applicability date."* The bill gives power to NorthWestern Energy, TransCanada, multi-national corporations, out-of-state contractors, investors and shareholders and the profits they seek -- NOT the property owners and people impacted in Montana.

The bill's draft number is 1776. The irony of the significance of the draft bill number is not lost on me. Don't let Governor Brian Schweitzer and the highly paid lobbyists pushing this bill use the promise of jobs to sway your opinion. The State of Montana's draft Environmental Impact Statement (EIS) for the Mountain States Transmission Intertie (MSTI) clearly states job growth will be insignificant, and even of the hundreds of jobs touted by NWE, many will be out-of-state contractors.

Please protect Montana, "the last best place." If this bill passes, private property rights will be trampled; pristine, wild, recreational and historic lands will be industrialized; energy rates will increase -- impacting your constituents and the businesses that rely on reasonable energy rates in your district. Please VOTE NO on House Bill 198!

Sincerely,
Wayne Max Mitchell
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406-980-0675
Wayne Max Mitchell