

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

**Call to Order:** Chair Alan Olson, on January 13, 2011 at 3:00 PM, in Room 317-C  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Alan Olson, Chair (R)  
Sen. Verdell Jackson, Vice Chair (R)  
Sen. Shannon Augare (D)  
Sen. Ron Erickson (D)  
Sen. Jeff Essmann (R)  
Sen. Lynda Moss (D)  
Sen. Jason Priest (R)  
Sen. Mitch Tropila (D)  
Sen. Kendall Van Dyk (D)  
Sen. Edward Walker (R)

**Members Excused:** Sen. Bob Lake (R)  
Sen. Chas Vincent (R)

**Members Absent:** None

**Staff Present:** Sonja Nowakowski, Legislative Branch  
Liane Taylor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearings: SB 93, 01/05/11; SB 62, 01/05/11;  
SB 7, 01/05/11; SB 104, 01/05/11

**HEARING ON SB 93**

**Opening Statement by Sponsor:**

00:01:36 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 93, Revise the composition of the board of oil and gas conservation.

**[EXHIBIT\(ens10a01\)](#)**

**Proponents' Testimony:**

00:06:33 James R. Staub, Certified Professional Geologist, representing self

**[EXHIBIT\(ens10a02\)](#)**

00:18:10 Anne Hedges, Montana Environmental Information Center (MEIC)

**Opponents' Testimony:**

00:22:48 Dave Galt, Executive Director, Montana Petroleum Association (MPA)

**[EXHIBIT\(ens10a03\)](#)**

**Informational Testimony:**

00:28:28 Edmund Deal, representing Montana Bureau of Mines and Geology (MBMG)

00:30:34 Tom Richmond, Chairman, Board of Oil and Gas

**Questions from Committee Members and Responses:**

00:36:46 Sen. Moss

00:37:02 Sen. Erickson

00:38:47 Sen. Priest

00:39:18 Sen. Erickson

00:40:02 Sen. Tropila

00:40:49 Tom Richmond, Board of Oil and Gas

00:42:46 Sen. Tropila

00:42:59 Tom Richmond

**Closing by Sponsor:**

00:44:42 Sen. Erickson

**[EXHIBIT\(ens10a04\)](#)**

**HEARING ON SB 7**

**Opening Statement by Sponsor:**

00:46:53 Sen. Jim Keane (D), SD 38, opened the hearing on SB 7, Require price of any renewable energy credit for sale or use in state be listed.

**Proponents' Testimony:**

00:49:32 John Fitzpatrick, representing Northwestern Energy (NWE)

**Opponents' Testimony:** None

**Informational Testimony:**

00:50:40 Al Brogan, Chief Counsel, Montana Public Service Commission (PSC)

00:52:41\_\_\_\_\_ Doug Hardy, representing Montana Electric Cooperatives' Association(MECA)

**Questions from Committee Members and Responses:**

00:52:49 Sen. Essmann  
00:52:56 Sen. Keane  
00:53:56 Sen. Essmann  
00:54:01 Sen. Keane  
00:54:49 Sen. Jackson  
00:55:10 Doug Hardy, MECA  
00:55:57 Sen. Jackson  
00:56:20 Doug Hardy  
00:57:36 Sen. Essmann  
00:58:14 John Fitzpatrick, NWE  
01:00:46 Sen. Essmann  
01:00:57 John Fitzpatrick

**Closing by Sponsor:**

01:02:10 Sen. Keane

**HEARING ON SB 62**

**Opening Statement by Sponsor:**

01:03:05 Sen. Llew Jones (R), SD 14, opened the hearing on SB 62, Eliminate PSC's ability to assign customers to electricity buying cooperatives.

**Proponents' Testimony:**

01:05:31 Al Brogan, Chief Counsel, Montana Public Service Commission (PSC)  
[EXHIBIT\(ens10a05\)](#)

**Opponents' Testimony:** None

**Informational Testimony:**

01:07:32 Doug Hardy, Montana Electric Cooperatives' Association (MECA)

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:08:16 Sen. Jones

**HEARING ON SB 104**

**Opening Statement by Sponsor:**

01:09:12 Sen. Jason Priest (R), SD 30, opened the hearing on SB 104, Limiting a public utility's ability to implement inverted block rates.

**Proponents' Testimony:**

01:15:30 John Alke, representing Montana-Dakota Utilities (MDU)

**Opponents' Testimony:**

01:21:46 John Fitzpatrick, representing Northwestern Energy

**EXHIBIT(ens10a06)**

01:27:14 Diego Rivas, representing Northwestern Energy Coalition (NEC)

01:30:51 Molly Severtson, representing The Policy Institute

01:32:53 Kyla Wiens, Montana Environmental Information Center (MEIC)

01:34:50 Max Milton, representing Montana's Alternative Energy Resource Organization (AERO)

**EXHIBIT(ens10a07)**

**EXHIBIT(ens10a08)**

01:37:02 Gayle Bouche, Montana Public Service Commission, representing self

**Informational Testimony:**

01:39:10 Travis Kavulla, Montana Public Service Commission

01:40:27 Bob Nelson, Montana Consumer Council

**Questions from Committee Members and Responses:**

01:42:16 Sen. Essmann

01:42:48 John Fitzpatrick, NWE

01:42:56 Sen. Erickson

01:43:26 John Fitzpatrick

01:45:26 Sen. Augare

01:45:39 Sen. Jackson

01:46:19 Doug Hardy, MECA

01:47:10 Sen. Jackson

01:47:46 Sen. Priest

**Closing by Sponsor:**

01:48:15 Sen. Priest

Additional Exhibit:

**EXHIBIT(ens10a09)**

**ADJOURNMENT**

01:51:44      Adjournment:

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Liane Taylor, Secretary

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Additional Documents:

**EXHIBIT([ens10aad.pdf](#))**