



LEGISLATIVE CONSUMER COMMITTEE

SENATE MEMBERS

Sue Malek, Chair
Jeff Welborn, Vice-Chair

HOUSE MEMBERS

Mary Ann Dunwell
Mike Hopkins

MINUTES LOG

June 2, 2020
Zoom Videoconference

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://legmt.gov>. On the left-side menu of the home page, select Committees, then Interim. Once on the page for Interim Committees, scroll down to the appropriate committee. The written Minutes Log, along with the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the "Exhibits" is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.

Please contact the Montana Consumer Counsel at 406-444-2771 for more information.

COMMITTEE MEMBERS PRESENT

Senator Sue Malek, Chair
Representative Mary Ann Dunwell
Representative Mike Hopkins

COMMITTEE MEMBERS EXCUSED

Senator Jeff Welborn, Vice Chair

MONTANA CONSUMER COUNSEL STAFF PRESENT

Robert A. Nelson, Consumer Counsel
Jason Brown, Staff Attorney
Paul Schulz, Rate Analyst
Jaime Stamatson, Economist
Suzanne Snow, Secretary

VISITORS PRESENT in Zoom Chat Room

Makenna Sellers – Northern Plains Resource Council

Jim Roach – Montana

AGENDA

[\(Attachment 1\)](#)

CALL TO ORDER

10:00:57 Chair Malek called the meeting to order with roll call.

[\(Attachment 2\)](#)

APPROVAL OF MINUTES OF PREVIOUS MEETINGS – January 13, 2020

10:01:30 MOTION: Representative Dunwell moved acceptance of the minutes.

VOTE: The motion passed unanimously on a voice vote

[\(Attachment 3\)](#)

STATUS OF CASES PENDING

Bob Nelson briefly highlighted the cases that have seen some change in status since the Committee’s last meeting. [\(Attachment 4\)](#)

10:02:32 2019.12.101 – NorthWestern Energy -Application for Approval of Capacity Resource Addition.

10:17:58 Committee Discussion

Public Comment

10:40:30 Makenna Sellers – Northern Plains Resource Council

10:43:20 Mary Fitzpatrick – Billings, Montana – emailed comment - read into the public record by Rep. Dunwell

- 10:56:24 D2018.2.12 – NorthWestern Energy - Application to Increase Electric Rates, filed 2/23/18
- 11:02:58 2020.05.064 – NorthWestern Energy - Investigation into Impacts of COVID-19 on NorthWestern Energy’s Fixed Cost Recovery Mechanism.
- 2020.05.066 – NorthWestern Energy - Petition for Accounting Order
- 11:05:40 Committee Discussion
- 11:14:05 2019.09.058 - NorthWestern Energy - Annual Power Costs and Credits Adjustment Mechanism Filing
- 11:16:18 2019.06.034 – NorthWestern Energy - Petition of Caithness Beaver Creek, LLC, to Set Terms and Conditions for Qualifying Facility
- 11:16:55 2019.09.067 – NorthWestern Energy - Petition of CED Pondera Wind, LLC, and Teton County Wind, LLC, to Set Terms and Conditions
- 2019.10.076 – NorthWestern Energy - Petition of CED Wheatland County Wind, LLC, to Set Terms and Conditions
- 11:18:25 2019.09.059 – NorthWestern Energy – QF-1 Tariff Update
- 11:20:59 2020.04.046 – NorthWestern Energy - 2020 Natural Gas Procurement Plan
- 11:26:15 2019.11.089 – NorthWestern Energy - Annual Tax Tracker
- 11:27:42 Committee Discussion.
- 11:30:44 2020.04.043 – NorthWestern Energy - Annual Townsend Propane Supply Rate Adjustment
- 11:30:54 2019.07.042 – Havre Pipeline - Farmstead Customer Rate Adjustment
- 11:31:15 2019.11.090 – MDU - Update of Time Differentiated Rate 93 Tariff
- 11:31:49 2020.05.055 – MDU - Application for Accounting Order to Track and Defer Financial Effects of COVID-19
- 11:32:32 2020.04.044 – MDU – Request for Waiver from ARM 38.5.176
- 11:33:14 2019.08.047 - EWM - Petition for Accounting Order
- 11:34:08 2019.06.031 - Energy West – Annual Gas Cost Tracker

- 11:36:30 2019.12.108 – PSC initiated Investigation into HB267 Determination of Opt-Out Programs for Advanced Metering Devices
- 11:38:11 Committee Discussion.
- 11:41:48 2020.06.067 - Public Service Commission’s Request for Comments Regarding Implementation of HB 597

FINANCIAL REPORT

- 11:43:00 Bob Nelson reviewed the current budget report (dated 6-1-20). Bob noted that he had no concerns with the budget as presented and that he expected a significant unexpended authority at fiscal year-end.
- Chair Malek expressed her hope that the next Legislative session will recognize that this was an exceptional year with lack of travel and activities and restore the Consumer Counsel’s budget.

CONTRACTED SERVICES

- 11:46:27 Bob requested authorization from the committee to retain the services of the following consultants:
- 2020.05.066 - NorthWestern Energy Petition for COVID-19 Accounting Order
 - Larkin & Associates - Ralph Smith
 - 2020.05.055 – Montana-Dakota Utility Co. Application for Accounting Order related to COVID-
 - Larkin & Associates - Ralph Smith
 - 2020.04.044 – Montana-Dakota Utility Co Gas Rate Filing
 - George Donkin – *Cost Allocation and Rate Design*
 - Larkin and Associates - Ralph Smith - *Revenue Requirement*
 - Dr. Randy Woolridge – *Cost of Capital*
 - Resolve Utility Consulting – David Garrett – *Depreciation issues*
- 11:49:26 MOTION: Representative Hopkins moved to approve the retention of the consultants as per the request made by the Consumer Counsel.
- VOTE: The motion passed unanimously on a voice vote

PUBLIC COMMENT

No additional public comment was offered at this time.

NEXT MEETING

11:50:27 The date for the next meeting is to be set later.

ADJOURNMENT

11:50: 45 There being no further business before the Committee the meeting was adjourned by the Chair.