MINUTES LOG
September 16, 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
CALL TO ORDER
10:00:00 Chair Malek called the meeting to order with roll call.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS – June 2, 2020
10:01:08 MOTION: Representative Dunwell moved acceptance of the minutes.
VOTE: The motion passed unanimously on a voice vote

STATUS OF CASES PENDING
Bob Nelson highlighted the cases that have seen some change in status since the Committee’s last meeting. (Attachment 4)

10:07:16 Committee Discussion
10:23:10 Public Comment
- Mary Kathleen Dunphy, Miles City, Montana

Chair Malek thanked Ms. Dunphy for her comments and noted that she had also read her written comments, which will be posted on the Legislative Consumer Committee website along with the 12 other comments that were received in opposition to purchasing more of Colstrip 4.
Bob presented a brief update on the following Water and Sewer Cases - page 13 and 14 of the Status of Cases report.

North Star Development – 2010.06.060 – Application for Water and Sewer Rate Increase
North Star Development – 2020.09.94 – Investigation of Rules, Practices, and Adequacy of Service

10:46:40 Committee Discussion.

Fox Hills Utilities – 2019.11.087 – Application for Initial Rates
Holmberg Village – 2020.02.020 – Operating Ratio Application
Circle H Water – 2020.07.081 – Operating Ratio Application

Chair Malek called for Public Comment on the water and sewer dockets–No public comment was given at this time.

Bob continued his review of the status of cases with other dockets pending —page 2.

NWE – 2020.08.091 – Annual Power Costs and Credits Adjustment Mechanism

Vote Solar, MEIC and Cypress Creek Renewables v. PSC – BDV-17-0776 – Petition for Judicial Review, Eighth Judicial District
Supreme Court - DA 19-0223 – NWE Notice of Appeal filed 4/11/19

NWE – 2019.10.076 – Petition of CED Wheatland County Wind, LLC, to Set Terms and Conditions - Page 4
NWE – 2019.09.067 – Petition of CED Pondera Wind, LLC, and Teton County Wind, LLC, to Set Terms and Conditions -Page 6

NWE – 2020.05.064 – Investigation into Impacts of COVID-19 on NWE’s Fixed Cost Recovery Mechanism.

NWE – 2020.03.034 – Application to Revise Tariff Schedule No. EGPS-1
NWE – 2019.08.052 – 2019 Electricity Supply Resource Procurement Plan

NWE – 2019.07.040 - Annual Gas Cost Tracker
NWE – 2020.03.041 - Natural Gas Universal System Benefits Charge Rate Adjustment
NWE – 2020.05.066 – Petition for Accounting Order
NWE – 2019.11.089 – Annual Tax Tracker
Bob gave a status update of the PSC HB267 – Opt-Out Investigation docket 2019.12.108 at the request of Rep. Dunwell. Bob stated that he would forward the Notice of Public Listening Session to the committee as soon as it is issued by the Commission.

**FINANCIAL REPORT**

12:08:22 Bob Nelson reviewed the current budget report (dated 9-11-20). Bob noted that he had no concerns with the budget as presented. Bob also noted that the agency ended fiscal year 2020 with a significant ending balance in the contracted services and travel budgets.

12:10:28 Committee Discussion.

**2023 BIENNIAL – AGENCY BUDGET REQUEST**

12:15:47 Bob presented the agency’s budget proposal. After a general discussion on the budget the following motion was made:

12:21:26 **MOTION:** Representative Hopkins moved to approve the Consumer Counsel’s proposed budget as presented.

**VOTE:** The motion passed unanimously on a voice vote.
CONTRACTED SERVICES

12:22:12 Bob requested authorization from the committee to retain the services of the following consultants:

2020.08.091 – NorthWestern Annual Power Costs and Credits Adjustment Mechanism:
Acadian Consulting – David Dismukes

2019.07.040 – NorthWestern – Annual Gas Cost Tracker
George Donkin

2020.09.095 – Montana-Dakota Utilities Co. – Annual Gas Cost Tracker
George Donkin

2020.07.082 – ABACO Energy Services (Big Sky Propane):
Resolve Utility Consulting – David J. Garrett (cost of capital)

12:24:49 MOTION: Representative Dunwell 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

NEXT MEETING

12:25:32 At the request of Rep. Dunwell it was agreed that a discussion regarding funding the office of Consumer Counsel by statutory appropriation would be on the agenda for the next meeting.

12:33:05 The date for the next meeting was set for Tuesday, November 10, 2020 at 10 a.m..

PUBLIC COMMENT

No additional public comment was offered at this time.

PSC EDDI Document Data Base

12:34:20 Suzanne gave a walk through on how to navigate the EDDI document search feature.

ADJOURNMENT

12:47:34 There being no further business before the Committee the meeting was adjourned by the Chair.