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Energy and Telecommunications Interim Committee

61st Montana Legislature

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RON ERICKSON
VERDELL JACKSON
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HARRY KLOCK

COMMITTEE STAFF

SONJA NOWAKOWSKI, Research Analyst
TODD EVERTS, Staff Attorney
DAWN FIELD, Secretary

July 12, 2010

TO: ETIC members

FR: Sonja Nowakowski, ETIC staff

RE: Energy policy public comment

ETIC members,

At the May meeting, ETIC members directed staff to put the draft energy policy report, along with two potential bill drafts out for public comment. Attached is the public comment received on the documents. The report and two bill drafts were out for public comment from June 7 to July 7.

The drafts, LC 6000 and LC 6001, are included in Appendix A of the report. The first bill draft, LC 6000, combines the ETIC's energy policy findings with the current energy policy statement. The second draft, LC 6001, modifies the process for revising the state energy policy.

The ETIC received extensive public comment on the report and bill drafts. More than 170 people provided comments. While many form letters were received, in some cases, people provided additional, individual comments along with the form letters. For that reason, all public comments received are included in your packets.

Additional comment is expected after the mailing deadline. Staff will include any additional comments received in your July meeting folders.

Sonja Nowakowski

CI0429 0194slxd.

Nowakowski, Sonja

From: kevin.frost@farmersinsurance.com
Sent: Friday, June 04, 2010 8:59 AM
To: Nowakowski, Sonja
Subject: Draft legislation, LC 6000

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

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- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops’ existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone’s reasonable estimation, these rates would be double or even quadruple the cost of the co-ops’ current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort.

However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments. If you have any questions or concerns, please contact me at (406) 961-5513.

Best Regards,

Kevin and Sherri Frost,
Members of Ravalli Electric Co-op
Corvallis, Montana

***** PLEASE NOTE ***** This E-Mail/telefax message and any documents accompanying this transmission may contain privileged and/or confidential information and is intended solely for the addressee(s) named above. If you are not the intended addressee/recipient, you are hereby notified that any use of, disclosure, copying, distribution, or reliance on the contents of this E-Mail/telefax information is strictly prohibited and may result in legal action against you. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents. Thank you.*****

Nowakowski, Sonja

From: Marcella Holden [mholden@itstriangle.net]
Sent: Friday, June 04, 2010 9:05 AM
To: Nowakowski, Sonja
Subject: draft legislation, LC 6000

Dear ETIC Committee Members:

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Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Marcella Holden

Marcella Holden

Billing Supervisor

Hill County Electric Coop & Triangle Communications

PO Box 1140 | Havre MT 59501 | 1-800-332-1201 | 406-394-2734

NOTE: my email address has changed to: mholden@itsTriangle.net

www.HillCountyElectric.coop



www.itsTriangle.com



Nowakowski, Sonja

From: Betty Maxwell [bmaxwell@itstriangle.net]
Sent: Friday, June 04, 2010 9:22 AM
To: Nowakowski, Sonja
Subject: FW: HALT LC6000 - Language is harmful to Montana's electric cooperatives

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

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engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Betty Maxwell
Hill County Electric
Havre, MT 59501

June 4, 2010

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

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Thank you for your kind consideration of my comments.

Best Regards,

John Sokoloski
Goldenwest Electric Coop
Wibaux, MT

Nowakowski, Sonja

From: Tim Engleson [TimEngleson@lincolnelectric.coop]
Sent: Friday, June 04, 2010 9:40 AM
To: Nowakowski, Sonja
Subject: Draft legislation for the 2011 session of the Montana Legislature

Dear ETIC Committee Members:

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Thank you for your kind consideration of my comments.

Best Regards,

Tim Engleson
Lincoln Electric Cooperative member
Eureka, MT

Nowakowski, Sonja

From: Don Moos [moosfarm@midrivers.com]
Sent: Friday, June 04, 2010 9:59 AM
To: Nowakowski, Sonja
Subject: ETIC draft legislation

Importance: High

Dear ETIC Committee Members:

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Thank you for your kind consideration of my comments.

Best Regards,

Don & Nancy Moos
McCone Electric Co-Op
Circle, MT 59215

Sharon McDonald

Montana Electric Cooperatives' Association
P O Box 1306 — 501 Bay Dr
Great Falls, MT 59403
phone: 406.761.8333
fax: 406.761.8339
cell: 406.868.5787

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Thank you for your kind consideration of my comments.

Best Regards,

Jim Maunder
Manager of Member Services
Ravalli Electric Co-op
jmaunder@ravallielectric.com

PS – If the ETIC is truly committed to making Montana more energy efficient and a leader in alternative renewable technologies then the first place to start is to mandate energy code enforcement across the state. The cheapest and most cost effective resource is energy efficiency. The cheapest kilo-watt-hour is the one that was not produced! Homes that are not built to the energy code are a burden on all utilities and the more that are not compliant the more electricity they use. In turn if all new homes are built to the new energy code the demand for new sources of electricity will be less.

I suggest ETIC members review the Northwest Power Planning and Conservation Council's 6th power plan. The regional resource supply charts and power cost summaries reinforce my comments. Mandating more expensive electric generation before you promote energy efficiency and code compliance putting the cart ahead of the horse!

If you have questions please feel free to contact me. Thank you.

Nowakowski, Sonja

From: Stu & Leslie Smith [lazyd3@mtintouch.net]
Sent: Friday, June 04, 2010 11:13 AM
To: Nowakowski, Sonja
Subject: comment on draft legislation

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

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- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases. This is largely because of how it impacts co-op's existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-base, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating - as would happen under the state RPS - that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-op's current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use. For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and , as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Sincerely,
Stuart and Leslie Smith
Rudyard, MT
members of Hill County Electric Cooperative

Nowakowski, Sonja

From: Merrily [merrilyrider@blackfoot.net]
Sent: Friday, June 04, 2010 11:36 AM
To: Nowakowski, Sonja
Subject: Draft legislation, LC 6000

We are writing to comment on a proposed amendment to Section 90-4-1001 of the state statute. Draft legislation LC 6000 proposes to include co-op electric companies under the state's Renewable Portfolio Standard (RPS). Our consumer owned electric co-ops have a historic principle repeatedly upheld by the Legislature of being under local control, and this draft proposal would remove that local control. This will significantly increase the cost of electric power—double or even quadruple what we are currently paying. Our co-ops do support renewable and alternative energy. We have the option of renewable energy credits, and the co-ops are part owners of Basin Electric Power Cooperative which uses alternative energy in 20% of its capacity.

The proposed change in Montana's energy policy cited above is not necessary or helpful to rural Montanans. It places a much greater cost burden on rural Montana people in order for electric companies to sell our cheap hydroelectric power to other states. Please make sure our electric co-ops are not included in this legislation.

Larry & Merrily Dunham

Condon, MT

Nowakowski, Sonja

From: Bert Otis [otisranch@wispwest.net]
Sent: Friday, June 04, 2010 1:32 PM
To: Nowakowski, Sonja
Subject: energy policy

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

I am writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature –was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.**
- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.**
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.**

This is largely because of how it impacts co-ops’ existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By

anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- **Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.**

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- **Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.**

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Bert Otis - Trustee for Park Electric Co-op

PO Box 60

Emigrant, MT 59027

406-333-4802

otisranch@wispwest.net

I am using the Free version of [SPAMfighter](#).
We are a community of 7 million users fighting spam.
SPAMfighter has removed 81947 of my spam emails to date.
The Professional version does not have this message.

Nowakowski, Sonja

From: Mike Stanley [mike@ferguselectric.coop]
Sent: Friday, June 04, 2010 1:36 PM
To: Nowakowski, Sonja

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;" (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "...Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards

Mike Stanley

Nowakowski, Sonja

From: Bev [bafisher@mtintouch.net]
Sent: Friday, June 04, 2010 3:15 PM
To: Nowakowski, Sonja
Subject: LC 6000

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Beverly Fisher

Chinook, MT 59523

Nowakowski, Sonja

From: Rick Stevens [ttcrick@itstriangle.com]
Sent: Friday, June 04, 2010 3:29 PM
To: Nowakowski, Sonja
Subject: Concern with a Draft Energy Policy Statement

Dear ETIC Committee Members:

I would like to take this opportunity to comment on a draft energy policy statement that has been incorporated into a study report as well as into a piece of draft legislation.

Draft legislation, LC 6000, contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;" (Emphasis added.)

This legislation proposes to establish as formal State policy that the Montana Power Production and Rural Economic Development Act must apply to "...Montana's many energy utilities." I understand that the committee did not intend to include cooperatives in this policy statement however it could easily be interpreted that way.

I therefore respectfully urge this statement be deleted for the following reasons:

- Electric cooperatives were not placed under the State's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the cooperatives directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the State's consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric cooperatives directly under the State RPS mandate will result in significant rate increases.

Rate increases would result because of how alternative renewable energy purchases would impact cooperative's' existing power supply portfolios. Those portfolios presently consist of at least 25 percent renewable energy and in some cases up to almost 100% renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the State RPS – would force cooperatives across the state to repalce this low-cost electricity with higher cost alternative renewable energy. At best these rates would be double the cost of hydro power and could be as much as quadruple the cost of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

Hill County Electric Cooperative purchases hydroelectric power from Western Area Power Administration and supplements that with power purchased from Basin Electric Power Cooperative who this year will acheive a 20 percent alternative renewable energy component based on its total generation capacity.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power that is incorporated into member rates, providing the option of members directly purchasing renewable energy, or the collective purchase of renewable energy credits that represent an investment in renewable energy development.

Montana's electric cooperatives desire to do what they can to promote renewable energy development in Montana. They are voluntarily and actively engaged in this effort however as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our members.

Deleting the problematic statement would help reinforce the importance of letting local cooperatives retain local control over where it can purchase power.

Thank you for your kind consideration of my comments.

Sincerely,

Rick Stevens, General Manager/CEO

Hill County Electric & Triangle Communications | ttrick@itsTriangle.com | 406.394.7807
2121 Highway 2 NW | PO Box 1140 | Havre MT 59501 | HillCountyElectric.coop | itsTriangle.com





GLACIER ELECTRIC
COOPERATIVE, INC.

June 4, 2010

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

Glacier Electric Cooperative is writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state’s RPS statute Glacier Electric Cooperative is required to consider an RPS but retains local control over final decision-making on the purchase of alternative renewable energy.

- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

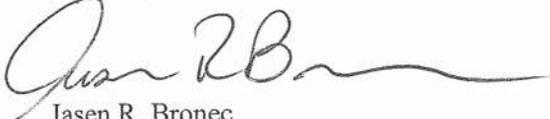
Currently, Glacier Electric Cooperative's power portfolio consists of 100 percent renewable energy from an allocation of power from Bonneville Power Administration. The power supply contract with Bonneville Power Administration is a "take or pay" commitment to purchase the allocated amount of power. An RPS mandate would result in Glacier Electric Cooperative members paying for stranded costs and ultimately resulting in rates doubling or tripling. These rate increases would be devastating to the Glacier Electric Cooperative membership. In serving the Blackfeet Indian Reservation, a large portion of Glacier Electric Cooperative's membership is low income and a rate increase of this magnitude would be unacceptable.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jasen R. Bronec", with a long, sweeping horizontal line extending to the right.

Jasen R. Bronec
General Manager

Nowakowski, Sonja

From: MD Sokoloski's [mdsok@midrivers.com]
Sent: Friday, June 04, 2010 4:56 PM
To: Nowakowski, Sonja
Subject: Fw: CALL TO ACTION - MONTANA ELECTRIC CO-OPS' GRASSROOTS ACTION TEAM MEMBER

Importance: High

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;" (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "...Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by

co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Don and Muriel Sokoloski

Sharon Mc Donald

Montana Electric Cooperatives' Association

P O Box 1306 — 501 Bay Dr

Great Falls, MT 59403

phone: 406.761.8333

fax: 406.761.8339

cell: 406.868.5787

Nowakowski, Sonja

From: Lou and Betsy [betsatthebend@bresnan.net]
Sent: Saturday, June 05, 2010 10:00 AM
To: Nowakowski, Sonja
Subject: ETIC Concerns

Dear ETIC Committee Members:

I am writing as a concerned member of Flathead Electric Cooperative re: draft energy statements that have been incorporated into a study report on pending legislation (LC 6000) and agreed to by the committee on May 13, 2010.

It is respectfully urged that the proposed amendment to Section 90-4-1001 of the statute establishing a formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "Montana's many energy utilities" be deleted for the following reasons:

1. Electric Co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of incorporating the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that the removal of local control - a longstanding principle historically honored and repeatedly upheld by the Legislature - was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
2. Under the state's RPS statute, Montana's larger electric cooperatives (with 5,000+ meters) are required to consider RPS, but retain local control over final decision making on the purchase of alternative renewable energy.
3. Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases which members can ill-afford.

This is largely because of how it impacts co-op's existing power supply portfolios which consist of from 25 to nearly 100% renewable energy in the form of hydropower. This cost-based fully depreciated electricity is purchased at below market prices under long-term contracts. Directly mandating - as would occur under the state RPS - that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. In turn, rates would double or even quadruple the cost of the co-ops current source of renewable hydropower.

4. Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

Many electric cooperatives throughout the state are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy useage equivalency of 20% of its power generation capacity.

5. All of Montana's electric cooperatives offer one or more of the following in support of alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of direct RE purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, this proposed amendment in Montana's energy policy is neither necessary, nor of benefit to Montana citizens. Montana's electric cooperatives are committed to doing everything they can to promote renewable energy development in the state and, as shown, are voluntarily and actively engaged in doing so. As consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your consideration of this request to delete the problematic amendment language referenced herein will help reinforce the importance of allowing local co-ops retain local control over energy purchase decisions.

Sincerely,

Betsy Platt
Bigfork, Montana

Nowakowski, Sonja

From: Todk - Kc [kranches@midrivers.com]
Sent: Sunday, June 06, 2010 9:45 AM
To: Nowakowski, Sonja
Subject: Comments on draft legislation LC6000

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops’ existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone’s reasonable estimation, these rates would be double or even quadruple the cost of the co-ops’ current source of renewable hydropower.

- Voluntarily, Montana’s electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for all your consideration of my comments.

Sincerely,
Tod Kasten
Circle, MT

Nowakowski, Sonja

From: Jenny Vaira [jvaira@midrivers.com]
Sent: Monday, June 07, 2010 6:10 AM
To: Nowakowski, Sonja
Subject: LC 6000

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature –was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.

- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops’ existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone’s reasonable estimation, these rates would be double or even quadruple the cost of the co-ops’ current source of renewable hydropower.

- Voluntarily, Montana’s electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana’s energy policy cited above is neither necessary nor helpful. Montana’s electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Jenifer S Vaira

Member LYREC

Nowakowski, Sonja

From: Stephanie Bailey [stephanie@norval.coop]
Sent: Monday, June 07, 2010 7:14 AM
To: Nowakowski, Sonja

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

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- Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

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Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,
Stephanie Bailey
NorVal Electric
Opheim, MT

Nowakowski, Sonja

From: Diane Kalvoda [dianek@lyrec.com]
Sent: Monday, June 07, 2010 9:10 AM
To: Nowakowski, Sonja
Subject: Draft Legislation, LC 6000 Concern

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

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Your decision to delete the problematic statement I have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Diane Kalvoda
Member Service Coordinator

Lower Yellowstone Electric
PO Box 1047
Sidney, MT 59270
406-488-1602
406-488-6524(fax)

Nowakowski, Sonja

From: Terry Hybner [mtmdcb@hotmail.com]
Sent: Tuesday, June 08, 2010 5:51 AM
To: Nowakowski, Sonja

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

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Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Terry Hybner
PO Box 187
Rudyard, Montana 59540

Member of Hill County Electric Cooperative

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. [Get busy.](#)

Nowakowski, Sonja

From: Rita Williams [rwilliams@seecoop.com]
Sent: Tuesday, June 08, 2010 7:30 AM
To: Nowakowski, Sonja
Subject: Proposed amendment of Section 90-4-1001 of state statute

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

I am writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

(j) promote efforts to classify expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 (I think there is a typing error here) and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities,

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "...Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

I respectfully urge this statement be deleted for the following reasons:

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* Under the states' RPS statute, Montana's larger electric cooperatives (5000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy

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Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Rita M Williams
Southeast Electric Cooperative
Ekalaka, MT 59324

Nowakowski, Sonja

From: Robin Kuntz [rkuntz@seecoop.com]
Sent: Tuesday, June 08, 2010 11:29 AM
To: Nowakowski, Sonja
Subject: LC 6000

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

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Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Robin Kuntz
Southeast Electric Cooperative, Inc.
PO Box 369
Ekalaka, MT 59324-0369
(406) 775-8762
rkuntz@seecoop.com

Subject Proposed amendment of Section 90-4-1001 of state statute

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Thank you for your kind consideration of my comments.

Best Regards,

Marlene Waterland
Southeast Electric Cooperative
Ekalaka, MT 59324

Subject Proposed amendment of Section 90-4-1001 of state statute

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Thank you for your kind consideration of my comments.

Best Regards,

Carole Carey

Southeast Electric Cooperative
Ekalaka, MT 59324



Beaverhead County Commissioners

2 South Pacific Street, Ste. #4

Dillon, Montana 59725-4000

Phone: (406)683-3750 Fax: (406)683-3769

trice@co.beaverhead.mt.us

ghaugland@co.beaverhead.mt.us

mmcginley@co.beaverhead.mt.us

June 8, 2010

Dear ETIC Committee Members:

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For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,



C. Thomas Rice
Beaverhead County Commissioner
925-0961

CTR:pto

Nowakowski, Sonja

From: Linda Meine [linda@vec.coop]
Sent: Tuesday, June 08, 2010 3:51 PM
To: Nowakowski, Sonja
Subject: Comments on Draft Legislation LC6000

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

I am writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;" (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "...Montana's many energy utilities." Although it is my estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

I respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement I have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Linda Meine
Consumer/Member
Vigilante Electric Cooperative, Inc.
Dillon MT

Nowakowski, Sonja

From: Scot B [scotb88@yahoo.com]
Sent: Tuesday, June 08, 2010 9:55 PM
To: Nowakowski, Sonja
Subject: ETIC Policy Revision

To whom it may concern;

I have a few comments regarding the Revision of Policy for the ETIC.

Within the revision there are inclusive statements encouraging the implementation and utilization of Smart Grid technology. I feel this 'green' technology principal would be detrimental to the people of the state.

First, we live in one of the largest yet least populated states in the nation. Our energy use is minimal given the fact that our weather patterns are so unpredictable, extreme and diverse across the state.

Second, to implement or give authority to implement such a technology requires a great deal of logistics in order to accomplish said task. Not to mention the increased premium charged to those who consume more during 'peak' hours.

The most important of all is the simple fact that such technology as the Smart Grid, Net Monitoring, Smart Garage, etc..., will take away our ability to maintain our own comfort level within our homes. I understand that there is a call for more and better renewable energy production. This is not the way to it. A better idea would be to offer incentives, rebates or even tax breaks to individuals for purchasing, installing and using solar or wind generated power in their homes. Any excess energy produced would be sold through the use of a 'credit' system back to the utility company.

Let's leave the use of our utilities within our homes and businesses up to us. After all, we're paying the bills.

Scot Bloomfield
Sidney, MT

Nowakowski, Sonja

From: faunawest@aol.com
Sent: Tuesday, June 08, 2010 10:48 PM
To: Nowakowski, Sonja
Subject: Montana energy

Sonja

The old time Indians claimed that every animal contained enough brains to brain-tan its own hide. After 8 years of generating electricity with solar and wind, I have come to the conclusion that every house has more than enough sun exposed surface area to generate all its electrical needs with photovoltaics (solar panels). Having worked the past 3 years on thermal solar projects in California and making an effort to study wind power projects, I have concluded that large scale solar and wind projects are not very green. In fact, they are pretty brown, and have huge environmental impacts which cannot be mitigated. Montana's wind farms are particularly bad because the electricity is generated so far from the load centers and requires hundreds of miles of collector lines and high voltage transmission lines. Large corporations have wrapped their arms around the sunlight and wind, and claimed it as their own, when in fact anyone can be making their own electricity with virtually no environmental impacts. Anyone can do it. It is so simple. Every house has a south side.

Our electrical system is modest - 1,750 watts solar, 1,000 watts wind, but it powers our whole ranch (you can see our operation at bisonquest.com). Our experience is that solar out performs wind, but the wind generator shines during the winter storms. From the first of March to the end of September, we produce an excess of electricity and try to burn off the excess in a productive manner (run dishwasher, water lawn, etc.). I already know that we produce enough electricity to power an electric utility vehicle for ranch use. It is only because of cash flow issues that we do not have one. Our solar panels are 15% efficient at converting sun energy to electrical energy which is right where most thermal solar plants are (however solar plants use 10% of their energy to run the plant, plus they expend thousands of gallons of gasoline to run vehicles to maintain the facilities and provide transportation to their army of workers). Newer solar panels are 30% efficient and solar panels approaching 50% efficiency are coming. You need to read Wikipedia's account of grid parity for photovoltaics.

My vision for Montana's energy future is that every house will have enough photovoltaics to supply all or most of their electrical needs, and that these homes will be grid connected to share the excess energy. Hydroelectric will meet the electrical demand during slack periods. People living at sites well suited for wind will have small scale (10 kw) grid connected wind generators. When gasoline prices return to \$4 per gallon or more, I see people setting up banks of solar panels in their front yards to charge electric vehicles. I have shared this information with many people and always it is the up front costs that deter them from acting on this information. Clearly the state needs to be active in developing programs that address this issue.

I consider myself an expert on microgeneration of electricity from solar and wind. It has worked so well for us I do not understand the government's push for large scale wind and solar. The stimulus money should not be given to these megawatt projects, but instead it should have been used to help people overcome the up front cost issues on kilowatt projects.

You and your colleagues are certainly welcome to come and visit to learn more about small scale solar and wind.

Craig Knowles
POB 890
Townsend, MT 59644
faunawest@aol.com
406-439-0191

Nowakowski, Sonja

From: Sally [s_mcburney@yahoo.com]
Sent: Wednesday, June 09, 2010 7:24 AM
To: Nowakowski, Sonja
Subject: Energy policy

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.

- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.

- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating - as would happen under the state RPS - that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

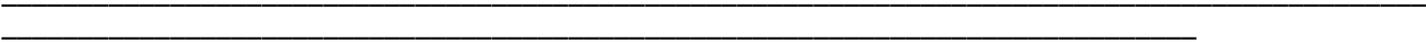
In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

John & Sally McBurney
Hilger, MT
Our Coop is Fergus Electric, Lewistown, MT



Nowakowski, Sonja

From: Chuck & Gayle Newman [cg49nwmn41@interbel.net]
Sent: Wednesday, June 09, 2010 9:36 AM
To: Nowakowski, Sonja
Subject: Energy Policy

Importance: High

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;" (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to ".Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

. Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that removal of local control - a longstanding principle historically honored and repeatedly upheld by the Legislature - was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.

. Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.

. Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating - as would happen under the state RPS - that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

. Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

. Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Chuck Newman
Eureka, Montana
59917

Nowakowski, Sonja

From: Mike Kays [mkays@mcconeelcooperative.coop]
Sent: Wednesday, June 09, 2010 9:54 AM
To: Nowakowski, Sonja
Subject: Comments on Draft Energy Policy Statements

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

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- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Mike C. Kays
General Manager
McCone Electric Co-op., Inc.
(406) 485-3430
mkays@mcconeelectric.coop

Nowakowski, Sonja

From: Larry Bruce [lbruce@mcconeelco.coop]
Sent: Wednesday, June 09, 2010 3:37 PM
To: Nowakowski, Sonja
Subject: Letter on draft legislation

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops’ existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone’s reasonable estimation, these rates would be double or even quadruple the cost of the co-ops’ current source of renewable hydropower.

- Voluntarily, Montana’s electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of

directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Larry E. Bruce
Office Manager
McCone Electric Co-op., Inc.
PO Box 368
Circle, MT 59215
Phone: (406) 485-3430

Nowakowski, Sonja

From: Jeri Dobrowski [skibaux@wb.midrivers.com]
Sent: Wednesday, June 16, 2010 4:19 PM
To: Nowakowski, Sonja
Subject: Comment on draft legislation: LC 6000

Dear ETIC Committee Members:

I would like to take this opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

I am writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases. This is largely because of how it impacts co-ops’ existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone’s reasonable estimation, these rates would be double or even quadruple the cost of the co-ops’ current source of renewable hydropower.
- Voluntarily, Montana’s electric cooperatives are working to advance alternative renewable energy use. For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Regards,

Jeri

Jeri L. Dobrowski

(Served by Goldenwest Electric Cooperative, Wibaux, MT)

1471 Carlyle Rd S

Beach, ND 58621

406-795-8168

Dear ETIC Committee Members:

Please consider these comments on draft language you are preparing for the legislature on energy policy. The language was agreed to by the committee on May 13, 2010 and refers to LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2025 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;”

It seems that stating in the legislation the Act applies broadly to “...Montana’s many energy utilities.” would include Montana’s electric co-ops. The committee and the legislature hasn’t indicated in the past that they intended to include electric coops in this legislation or in new policy so I feel this could be an oversight by the committee.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state’s Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state’s consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature –was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
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- Voluntarily, Montana’s electric cooperatives are working to advance alternative renewable energy use.

For example, just like Sheridan Electric, many of our electric cooperatives are part owners of Basin Electric Power Cooperative. Basin Electric this year will reach alternative renewable energy use above 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

Here at Sheridan Electric Co-op just like or neighboring coops in Montana we encourage the use of renewable energy and have adopted policies to prove it. We have spent countless hours helping members develop their own renewable energy projects and when developed we purchase any additional energy produced. We have partnered with our local Conservation Districts to offer a public demonstration wind project which we also purchase all kwhs.

In closing, the proposed change in Montana’s energy policy cited above is neither necessary nor helpful. Montana’s electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as

shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Rick Knick
General Manager, Sheridan Electric Co-op
Medicine Lake, MT

Nowakowski, Sonja

From: Scott Sweeney [fergusmgr@ferguselectric.coop]
Sent: Tuesday, June 22, 2010 11:25 AM
To: Nowakowski, Sonja
Subject: Comments to ETIC Committee

Importance: High

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;" (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "...Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged

in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,
Scott Sweeney
General Manager
Fergus Electric Cooperative
84423 US Highway 87
Lewistown, MT 59457

406-538-3465 office
406-366-7218 cell
fergusmgr@ferguselectric.coop email

Nowakowski, Sonja

From: Matt Jennings [mjennings@gre-llc.com]
Sent: Friday, June 25, 2010 12:01 PM
To: Nowakowski, Sonja
Subject: Energy Blueprint comments
Attachments: Map from Trans. Brochure.pdf

Sonja, looking at the map of Transmission for Montana's Energy Blueprint, I notice a few mistakes in the representation of Grasslands Renewable Energy's projects and perhaps those of other companies. We would appreciate corrections to avoid any confusion. I am attaching a map that was prepared by the MT Dept. of Commerce Energy Promotion division that accurately represents Grasslands lines. To the best of my knowledge it also accurately represents other transmission developments. Thanks.

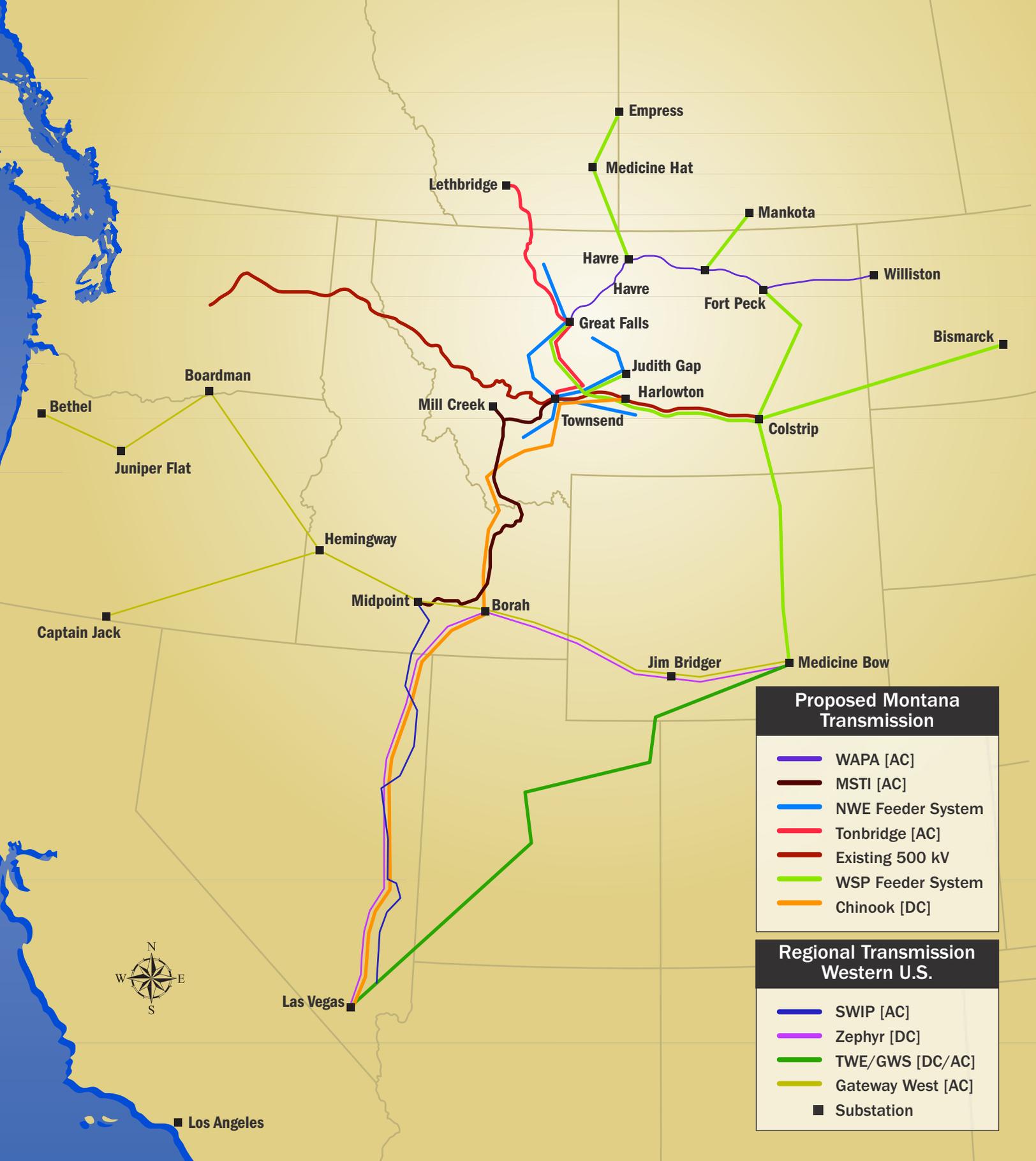
1. Enerfin is not building transmission. The lines paralleling the Colstrip 500kv and the line from Colstrip/Miles City to Fort Peck are Grasslands' proposed lines. It also appears that Enerfin may be labeled with a line from Great Falls to Havre. Enerfin is a wholly owned subsidiary of Elecnor. Elecnor is a partner in Grasslands owning 50% of the company. However, the subsidiaries are separate and distinct corporate entities. Enerfin's wind project is unrelated to Grasslands Transmission developments. If you need contact information for Elecnor to confirm this please let me know.
2. There is a line from Great Falls to Havre and then north into Alberta labeled MATL 2 and 3. Grasslands Renewable Energy has proposed a line from Havre north into Alberta to Medicine Hat and Empress. I am wondering if the segment from Havre north is confused between Grasslands and Tonbridge. I am unaware of Tonbridge working on a line between Great Falls and Havre and then North. You may want to check with Tonbridge to ensure that is accurate. Tonbridge has made public announcements referring to their Green Line from Great Falls south. I do not know if they are referring to that as MATL 2.
3. On the map there is a Grasslands line located from Glasgow going north. Grasslands has proposed a line going from approximately Malta north into Saskatchewan, but not Glasgow.
4. Grasslands has also proposed a line from Ringling to the Judith Gap area, which conceptually would roughly parallel the NWE proposed feeder line that is on the map.

5. You should check with TransCanada about this, but they generally refer to their Chinook line as TransCanada's Chinook line. It is also a 500kv proposed line, not a 400kv. It has not been called Northern lights for some time. In fact Northern Lights is a name now used by another TransCanada project connecting Alberta and BC to the northwest. This may cause confusion. See these two pages and descriptions.

<http://www.transcanada.com/northernlights.html>
<http://www.transcanada.com/zephyr.html>

Thank you.

Matt Jennings
Grasslands Renewable Energy
1970 Stadium Drive, Suite 3
Bozeman, MT 59715
(406) 585-3006



Proposed Montana Transmission

- WAPA [AC]
- MSTI [AC]
- NWE Feeder System
- Tonbridge [AC]
- Existing 500 kV
- WSP Feeder System
- Chinook [DC]

Regional Transmission Western U.S.

- SWIP [AC]
- Zephyr [DC]
- TWE/GWS [DC/AC]
- Gateway West [AC]
- Substation



Las Vegas

Los Angeles

Bethel

Juniper Flat

Captain Jack

Boardman

Hemingway

Midpoint

Mill Creek

Borah

Lethbridge

Townsend

Havre

Havre

Great Falls

Judith Gap

Harlowton

Empress

Medicine Hat

Mankota

Fort Peck

Williston

Bismarck

Colstrip

Jim Bridger

Medicine Bow

June 25, 2010

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana’s many energy utilities;” (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana’s many energy utilities.” Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

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- Under the state’s RPS statute, Montana’s larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops’ existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone’s reasonable estimation, these rates would be double or even quadruple the cost of the co-ops’ current source of renewable hydropower.

- Voluntarily, Montana’s electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of

directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Terry M. Holzer

Terry M. Holzer
General Manager
Yellowstone Valley Electric Cooperative, Inc.
P.O. Box 249
Huntley, MT 59063
Phone: 406.348.4001

Nowakowski, Sonja

From: Philip Saccoccia Jr [philsac@gmail.com]
Sent: Monday, June 28, 2010 4:29 AM
To: Nowakowski, Sonja
Subject: energy policy

RE: MFSA

Dear Ms Nowakowski:

I am writing to respectfully request that the Montana Legislature include specific language in the Proposed State Energy Policy that will require an Environmental Impact Statement for all Collector Lines and also all Substations and Collector Sites.

Please thank the Energy and Telecommunications Interim Committee of Montana Legislature for consideration and inclusion of this requirement.

Sincerely,

Philip Saccoccia, Jr.

Nowakowski, Sonja

From: Sherry Scoffield [sscoffield@bigskyedm.com]
Sent: Monday, June 28, 2010 7:07 AM
To: Nowakowski, Sonja
Subject: Energy Policy

We urge senators to put language back in the EIS that includes sub stations/collector sites. This is a great disservice to citizens to not have the impact studies done to protect us.

Ward & Sherry Scoffield
Townsend, MT

Nowakowski, Sonja

From: Sheila Coy [msladaly@gmail.com]
Sent: Monday, June 28, 2010 8:38 AM
To: Nowakowski, Sonja
Subject: Energy policy

I am adamantly opposed to burning coal and strongly support an energy policy based on clean, sustainable energy solutions. We cannot continue to pollute our planet and expect to live life as we have known it.

Thank you,

Sheila Coy
401 Daly Ave.
Missoula, MT 59801
406-543-2314
msladaly@gmail.com

Nowakowski, Sonja

From: Laurie Stevens Gilleon [laurie.bigsky@3riversdbs.net]
Sent: Monday, June 28, 2010 12:02 PM
To: Nowakowski, Sonja
Subject: Energy Policy

Please, an "energy blueprint" should establish an innovative energy policy for Montana based upon cost-effective, clean, and sustainable energy solutions. It should not be based on dirty technologies from the past.

Sincerely, Laurie Gilleon
59421

Nowakowski, Sonja

From: info@solarplexus1.com
Sent: Monday, June 28, 2010 12:29 PM
To: Nowakowski, Sonja
Subject: "Energy Blueprint"

Comments on "Draft Energy Policy"

I'd like to see some serious consideration of a feed in tariff. Whether it be experimenting with one utility, one town, one city or the whole state, a feed in tariff is a great opportunity to lead in the field of incentivizing renewable energy and the states are going to have to lead in the introduction of this type of program. The DOE has shown no interest in feed in tariff under the leadership of Steven Chu. Feed in tariff will have to be introduced from the bottom up. I would suggest consulting with Paul Gipe who has been the leader in this program in North America (Ontario Canada) and taking a look at the program in Gainesville Fla.

Thank you for this opportunity to comment,
Mary Hamilton at Solar Plexus LLC in Missoula MT
406-721-1130

Contact for Feed in Tariff:

Paul Gipe
606 Hillcrest Dr.
Bakersfield, CA 93305
+1 661 325 9590
pgipe@igc.org

Nowakowski, Sonja

From: Talon Ranch [talonranch@3riversdbs.net]
Sent: Monday, June 28, 2010 1:53 PM
To: Nowakowski, Sonja
Subject: Energy Policy

To: Sonja Nowakowski
From: Camron Cooper/Talon Ranch
Subject: Montana Energy Policy

The focus on Montana energy policy should be on Montanans. The state legislature should protect the private property rights of Montanans and not promote the agenda of NorthWestEnergy, a corporation whose board of directors has only one Montanan on it and is headquartered out of our state. Those of us who are ranchers, farmers, and homeowners who own property in the way of, or in proximity to their proposed MSTI route will be harmed. While they, and other supporters of MSTI allege that there will be property tax benefits to the impacted counties, they do not factor in the loss of property taxes from the drop in our private property values caused by their transmission line. NWE is a corporation operating under Federal bankruptcy laws. They have shown no financial or operating perspicacity ever since they decided to sell all their generating capacity and become a "telecommunications" company--thus leading to their bankruptcy. Now they want to be a transmission company by building a line, MSTI, which has not supply contracts, no purchase agreements from California, Nevada, or Arizona, and no throughput agreements. MSTI will end up getting financed on the backs of Montana customers of NWE, and the BLM and DEQ will help see to that unless the legislature stands up and fights for our rights. We need urgently to pass legislation which would prohibit eminent domain condemnation for commercial purposes. Do we want to be like New London, Connecticut? How about Montanans standing up for Montana property owners. Protect our private property rights, our riparian areas, our unsurpassed viewsheds, and the rights of our state.

Respectfully submitted,
Camron Cooper/Talon Ranch

Nowakowski, Sonja

From: Suzanna Mcdougal [suzanna@wildblue.net]
Sent: Monday, June 28, 2010 3:09 PM
To: Nowakowski, Sonja
Subject: Sonja Nowakowski energy comments due July 7th

For the energy and telecommunications committee:

An innovative energy policy for Montana based on cost-effective, clean and sustainable energy solutions must be established. It should not be based on dirty technologies, especially coal, from the past. We must not increase oil and gas exploration.

We need an enforcement system for our building codes to make them of value.

Energy efficiency and conservation knowledge should be easily available to the citizens.

Sincerely,
Suzanna McDougal
PO Box 1335
Hamilton, MT 59840

Nowakowski, Sonja

From: bear@hopspress.com
Sent: Monday, June 28, 2010 3:32 PM
To: Nowakowski, Sonja
Cc: Debbie Hanneman
Subject: Energy Policy

Sonja,

Thank you for your work regarding updates to the state energy policy.

I know from experience that the transition to renewable energy is not all that difficult. We generate all of our electricity through a grid- tied photovoltaic system. Our system runs the meter backwards when the sun shines and forward when it isn't. On balance of we generate more electricity than we use, so we never pay a power bill.

If homeowners focus on the efficiency side first, upgrading the house and appliances to conserve electricity as much as possible, and install a solar water heater, then it is not too difficult to cover the balance with renewable energy. We are thrilled to get a power bill every month of every year that says we used 0 KWH.

Through this type of efficiency and decentralized energy production - generating power close to its end use - we can transition to renewable energy in a sustainable manner.

I would like to emphasize that there is nothing remotely green about the Mountain States Intertie Project (MSTI) proposed by Northwestern Energy. It will take a huge amount of fossil fuels to mine and process the metals to make the towers and cables to build the contraption, which will then lose more energy in transmission. MSTI is based on obsolete technology, and it will ultimately sit idle, even if energy contracts are found for it in the beginning. New technology is coming to market that will print solar panels much like paper, at which point people will be putting them everywhere.

In addition, I am especially concerned that Northwestern Energy is able to use eminent domain to take private property from people for this for-profit project. MSTI is not proposed to serve the people of Montana in any way. Its sole purpose is to make money for the company. Using eminent domain to take private property for that use makes as much sense as me using eminent domain to put a windmill or a slaughter house in your yard.

State energy policy needs to be reformed first to favor conservation of energy, second to support renewable energy, and third to protect the people of Montana from corporations like Northwestern Energy from using eminent domain as a profit-making tool.

Please confirm your receipt of these comments, and thank you for your time.

Sincerely,

Thomas J. Elpel
PO Box 697
Pony, MT 59747

Nowakowski, Sonja

From: Mac [dr.starshine@gmail.com]
Sent: Monday, June 28, 2010 3:53 PM
To: Nowakowski, Sonja
Subject: Draft Energy plan for Montana

Sonja,

Montana's gift to all of us is clean air and water. Please make sure that this draft energy plan will ensure that Montana's valuable gift continues for our children and children's children.

Dr. Starshine

788-2299

dr.starshine@gmail.com

Nowakowski, Sonja

From: Lydia Garvey [wolfhowlmama@yahoo.com]
Sent: Monday, June 28, 2010 8:33 PM
To: Nowakowski, Sonja
Subject: MT Energy Policy needs to be Clean!

I urge an innovative policy based upon cost-effective, clean & sustainable/renewable energy- not dirty (coal,oil,methane,gas,chemicals) energy! Save water too!

Your assistance with this most urgent matter would be much appreciated by all present & future generations of all species.

Thank you

Lydia Garvey Public Health Nurse

429 S 24th Clinton OK 73601

Nowakowski, Sonja

From: Richard Nelson [richard.nelson@sabioproducts.com]
Sent: Monday, June 28, 2010 9:40 PM
To: Nowakowski, Sonja
Cc: feelyranch@aol.com; Dick/Phyllis Nelson; resmith@3riversdbs.net; kikedunks@hotmail.com; 'Rob Thomas'
Subject: Montana Energy Policy

Dear Ms. Nowakowski and Members of the Energy and Telecommunications Interim Committee,

I live in Butte and wanted to plead with you to consider downsizing or scrapping the whole MSTI project if it is within your powers. I have fought against this for 2 years and don't know if there is any hope left fighting big business and the politics surrounding this line. I am almost worn out because the target is so mysterious. None of our politicians want to have the construction and eternal remembrance of the MSTI lines as part of their political legacy – what politician would want to have a billboard proclaiming that “I support the building of these lines” with a picture of these crossing the Big Hole River – yet there is continually a feeling that decisions are being made “for the good of the people” behind closed doors, by people we don't even know. After 2 years of writing letters, emails, attending meetings, making comments – not one person has ever responded from the powers that be. How can one not feel that it is beyond our control?

My simple feeling is that as citizens we need to do things to use less power – not to build bigger and bigger infrastructures for states that have a different vision of growth than the majority of our populace. I would not mind paying higher rates and subsidizing low-income power costs if it gets people to conserve resources and use less power. I would support this thrust of an energy policy. Please have the foresight to leave at least one state in the union that people can come to and say – “Wow! No traffic, no power lines, snow in the mountains in July, cheap drinks, what a gorgeous state!”

That is just my opinion – I think you have all done a pretty good job at being stewards of our lands and resources up to now. I just urge you to take a drive through the I-15 corridor between Butte and Dillon or any of the other proposed routes and think about why you love this state and whether the addition of the MSTI lines would help or hurt this feeling. I don't know of anyone that could take this drive and be numb to the impact of these lines – anywhere they are proposed. Just wait until they need our water too.....

Thanks for your consideration

Dickie Nelson
PO Box 3493
Butte, MT 59702

Nowakowski, Sonja

From: Richard Nelson [richard.nelson@sabioproducts.com]
Sent: Monday, June 28, 2010 10:12 PM
To: Nowakowski, Sonja
Cc: feelyranch@aol.com; Dick/Phyllis Nelson; resmith@3riversdbs.net; kikedunks@hotmail.com; 'Rob Thomas'
Subject: RE: Montana Energy Policy - PS

In thinking about this, the most frustrating thing has been not knowing who the decision makers were to discuss this with

I have written letters to:

1. Our county commissioners
2. Our mayor
3. Our Governor
4. Our state Senators and Congressmen
5. Our US Senators and Congressman
6. The MT-DEQ
7. The BLM both on a local and national level
8. NW Energy Executives
9. And now you....

No response from anyone to date and the further up the ladder you go, the less of a proclaimed public stance on this issue. This makes me – as well as most of the voting public, very cynical about whether our elected politicians are listening to us. I hope you can make a difference on this issue and will consider your constituency across the state on this.

Thanks again for your consideration.

Dickie Nelson

From: Richard Nelson [mailto:richard.nelson@sabioproducts.com]
Sent: Monday, June 28, 2010 9:40 PM
To: 'snowakowski@mt.gov'
Cc: 'feelyranch@aol.com'; Dick/Phyllis Nelson (RNELSON4@stx.rr.com); 'resmith@3riversdbs.net'; 'kikedunks@hotmail.com'; 'Rob Thomas'
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Dear Ms. Nowakowski and Members of the Energy and Telecommunications Interim Committee,

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My simple feeling is that as citizens we need to do things to use less power – not to build bigger and bigger infrastructures for states that have a different vision of growth than the majority of our populace. I would not mind paying higher rates and subsidizing low-income power costs if it gets people to conserve resources and use less power. I would support this thrust of an energy policy. Please have the foresight to leave at least one state in the union that people can come to and say – “Wow! No traffic, no power lines, snow in the mountains in July, cheap drinks, what a gorgeous state!”

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Thanks for your consideration

Dickie Nelson
PO Box 3493
Butte, MT 59702

Nowakowski, Sonja

From: Don J. Burgard [burgie-sub@hughes.net]
Sent: Monday, June 28, 2010 11:51 PM
To: Nowakowski, Sonja
Subject: Montana Energy Issue

I wouldn't mind my Montana combined taxes being higher if the state bagged using fossil fuels as an energy source. I'm solidly in favor of newer, more innovative alternative and sustainable energy.

Don J. Burgard
PO Box 2017 – Columbia Falls, MT
burgie-sub@hughes.net

Nowakowski, Sonja

From: Toddy Perryman [toddyapat@bitterroot.com]
Sent: Tuesday, June 29, 2010 7:56 AM
To: Nowakowski, Sonja
Subject: energy and telecom. comm.

To the Energy and Telecommunications Committee,

We applaud your proactive effort to address Montana's energy future. We appreciate the opportunity to comment on the effort so far.

We are very concerned about Montana's environment as we are active outdoorspeople and have been observing Montana's weather for over 40 years.

We have noted significant decrease in snowfall and longer drought times that in the past. This concerns everyone in the state, as you all know that drought stress increases the chances of very destructive wildfires.

We are concerned about the emphasis on coal and other fossil fuels in the approach of the Committee. We would strongly encourage decreased dependence on all fossil fuels, knowing that the only truly sequestered CO2 from these fuels is accomplished by leaving them underground.

We like the approach of increasing efficiency of use of energy in general. It would be good to do even more to encourage all businesses to consider improving the efficiency of their buildings. We have read that many businesses have saved many thousands of dollars by doing energy audits of their buildings and installing more efficient systems. That means many thousands of dollars less energy required to be produced in the first place. This is a win-win solution.

We would like to see strong support for the development of wind, solar, and biomass fuels. These are the wave of the future and Montana could be a real leader in these technologies and work to develop the necessary infrastructure for these technologies. We have a lot of really good wind production potential, and some excellent sites have not yet been developed.

Again, thank you for the opportunity to comment.

Sincerely,

Ms. Toddy Perryman
Mr. Patrick Leonard
1525 Silver Sage Ln.
Corvallis, MT 59828

Nowakowski, Sonja

From: Matthews, Jonathan [jmatthew@carroll.edu]
Sent: Tuesday, June 29, 2010 7:37 AM
To: Nowakowski, Sonja
Subject: Comments on draft energy policy for Montana

Dear members of the Energy and Telecommunications Committee:

I am heartened to see that the draft energy policy for Montana includes good policies that encourage energy efficiency and conservation):

- Allows energy efficiency to form the cornerstone of Montana's energy policy.
- Encourages all utilities to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency on their systems.
- Advocates for a strong energy code for buildings that works in tandem with an enforcement system.
- Expands energy efficiency incentives to promote and encourage consumer investment in energy efficiency.

However, I am also very opposed to the plan's support of increasing fossil fuel use. It encourages the continued development and burning of Montana's coal resources, it increases oil and gas exploration and development, and it promotes projects that convert coal to electricity, synthetic petroleum products, methane, natural gas, and chemical feedstocks. The proposed plan includes a reference to reducing greenhouse gases, but ignores the fact that there are no technologies available to control emissions from these types of fossil fuel

An "energy blueprint" should establish an innovative energy policy for Montana based upon cost-effective, clean, and sustainable energy solutions. It should not be based on dirty technologies from the past.

Thank you for considering the modification of the draft energy policy, based on these observations.

Jonathan

Jonathan Matthews, Ph.D.
Carroll College
1601 North Benton Avenue
Helena, Montana 59625
(406) 447-4351

Fax (must be prominently addressed to me): (406) 447-4533

Nowakowski, Sonja

From: Judy Matson [judymatson@bresnan.net]
Sent: Tuesday, June 29, 2010 7:20 AM
To: Nowakowski, Sonja
Subject: energy policy

Dear Ms. Nowakowski,

Montana's leadership in energy policy is very important. Especially encouraging is putting energy efficiency as the cornerstone of Montana's energy policy. Encouraging all utilities to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency on their systems, advocating for a strong energy code for buildings that works in tandem with an enforcement system, and expanding energy efficiency incentives to promote and encourage consumer investment in energy efficiency are also sound ideas.

I strongly disagree with policies advocating development of fossil fuels: coal, coal conversion, or oil and gas development. Montana should take the lead in establishing an innovative energy policy for Montana based upon cost-effective, clean, and sustainable energy solutions.

Thank you,
Judy Matson

DISCOVER - RECREATE - EDUCATE - APPRECIATE
Community at the Confluence
"To the River"
August 15, 2010 Noon - 4 PM
Free admission!
www.friendsof2rivers.org

Nowakowski, Sonja

From: Marshall Swearingen [marshall.swearingen@gmail.com]
Sent: Tuesday, June 29, 2010 11:15 AM
To: Nowakowski, Sonja
Subject: Montana's Energy Blueprint

To the interim Energy and Telecommunications Committee:

It is refreshing to learn that the committee is proposing goals that support energy efficiency and renewable energy in the energy "blueprint," even if they are countervailed by a lengthy list of provisions that continue to subsidize archaic forms of energy like coal. It would be a mistake, though, to premise a transition to a carbon-free economy merely on the replacement of fossil-fuel with renewables, when what is equally needed is overall reductions in energy use. Strong but open-ended energy building codes would address this issue head-on, and should be a focus of the legislature's energy policies. Encouraging innovative practices of construction that demonstrate low life-cycle energy should be included in any discussion of energy codes. In tandem with these conservation measures, the legislature should consider policies that encourage renewable energy within a decentralized context.

With buildings and their supporting systems creating the bulk of greenhouse gas emissions, and with existing technology available to significantly curtail this contribution, building codes that encourage energy efficiency should form the cornerstone of Montana's energy policy. For new buildings, we would be wise to use tried-and-true techniques like passive solar (actually considering how the building is oriented to the sun), thermal mass, and much greater levels of insulation (which can be achieved very cheaply through the use of local natural materials). We should be putting up policy obstacles for those builders that punch out subdivisions of inefficient and shoddy houses, not for innovative homeowners, builders and architects using these techniques---which is currently the case.

Let me remind you that some of the techniques of building that show the most promise for reducing total life-cycle energy (such as straw-bale construction) are currently prohibited by municipal building codes. The *first* straw-bale house within the city limits of Bozeman is about to be built (despite decades of attempts), and the process has apparently been difficult for the homeowner. Instances of straw-bale and other highly insulative natural forms of construction continue to be pushed out of our towns and cities (out of reach of municipal building codes) where they become monuments to the marginalization of progressive building practices in the policy realm, and ironically also incur the increased energy of more vehicle miles traveled. The legislature could do a monumental service by including provisions in the blueprint that remove policy barriers to new and innovative forms of construction. Perhaps what is needed is a coordinated effort between architects, engineers, and state and city building code officials to research and codify these increasingly popular types of construction, to ensure that they are safe for the public while also demonstrating their potential for reducing energy. New Mexico and California are among the states that have already done so.

A revision of building codes would address the problem in the realm of new buildings, but would overlook the huge amounts of energy that are daily squandered by the inefficiencies of the existing stock. Energy audits, weatherization, replacement of old appliances, reduction of phantom loads, increased insulation, and efficient lighting should all become basic and affordable recourse for the homeowner. This point is social at least as much as it is environmental. By enacting legislation that puts in place incentives that are clear and accessible to people of all incomes, the committee could ensure that mitigating greenhouse gases is not a luxury, as so much of "green" building is becoming. This is an expedient convergence of social and environmental priorities that should be at the top of the committee's list.

Because producing energy in *any* known way has harmful impacts, reducing overall energy use should become the priority of Montana's energy policies. Renewable energy should be seen as eventually almost entirely replacing fossil fuel energy, not merely as an offset to increased demand. It is pathetic that Montana's elected officials are considering expansion of coal and other fossil fuel sources of energy. The coal and gas lobbies are undoubtedly prophesying that Montana lies on top of vast riches of energy, our one big recourse to wealth (certainly a tempting story in a time of tight budgets). This chapter of delusion belongs in the protracted but closing tale of Montana's exploitive mining history, not in any enduring or reasonable vision of the future. Coal is fundamentally a dirty and unrenowable source of energy, and its mention in the future will call to mind the anachronism of whale blubber. Have the members of the committee recently driven around Colstrip? Our profligacy in energy has a heavy and hidden cost that most of us never see.

While most Montanans would be happy with more renewables in any form, their development presents a chance to restructure the energy infrastructure in more democratic and sensible ways. Much of the wind development is necessarily centralized to concentrate it in high-wind areas, but much of our power demand could be met through energy cooperatives on a city and county level. This would reduce the energy lost during power transmission, nurture local economies, and put the mysterious production of power in sight of communities where they could adapt it to local priorities. As part of this effort, homeowners should be encouraged to install solar on their rooftops through loan structures that offset initial cost and consider the cost of energy in life-cycle.

Thank you for your continued service to the priorities of Montana,
Marshall Swearingen

Nowakowski, Sonja

From: elizabeth childrey [echildrey@verizon.net]
Sent: Tuesday, June 29, 2010 4:25 PM
To: Nowakowski, Sonja
Subject: energy in Montana

Sonja - Eleven years ago, my husband and I bought a place on the Big Hole River at Notch Bottom. We bought it for the fishing, the riding, the beauty, the lifestyle, and the people. We have not been disappointed one minute - until all this energy upheaval. We have been shocked by this entire MSTI project - and therefore Montana's stand on energy. To begin with, we all know that wind, though it be a renewable source, is not constant. At best, it blows 30% of the time which means that fossil fuels will be needed to keep things going. So how is that green? If Montana wants to promote green energy, then be honest about what is green. Plus by transporting this energy such long distances, much will be lost - so efficiency is a question. And then what about the citizens of Montana? The 11 years we have been out here has enabled us to meet some of the most generous, kind, hard working people that I have ever known. What is going to happen to these ranchers whose only value is their land? Unsightly power lines will destroy any value their land might have had. Not to mention us second home owners. Our property values and investments will tumble and I would think that Montana would welcome those like us that do boost the economy of various counties. I dare say that the people on Burma Rd.

have invested a lot of money in building costs, recreational activities, groceries, merchandise etc. in the town of Dillon --- and if we had seen huge transmission towers when we were looking to buy, I can guarantee you that we would have gone far away. And that goes not just for our area, but all areas of Montana. Environmentally, the powers that be need to protect this valuable asset that they have and not let it be raped by huge transmission lines. And lastly what about the rights of individuals. With eminent domain, a land owner has no choice. That means that NWE can condemn property because they want to build something to send power to California and Nevada - not even Montana. And then they have the audacity to say that there will be tax benefits to this for Montana. Yes the counties will receive some money, but they have failed to tell ordinary people that there rates will go up to cover this tax benefit. How is this good for the people of Montana?

I am not totally positive what your role is in this process, but I was assured you were a thoughtful and reasonable person. Please consider as you all set out to set energy policies for the state that you really consider the people and the land - not just the almighty dollar. There are other ways to make money - but you can never duplicate people or land.

Sincerely,
Elizabeth Childrey

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MSTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
3. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
4. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
5. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
6. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
7. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
8. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
9. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
10. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
11. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.
12. Beaverhead County ranches and farms on the route will lose grazing and

agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"
2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*
3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be used. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. Montana Law: MCA 70-30-110: "*Survey and location of property to be taken – greatest public good.*"

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. Montana Law: MCA 90-4-1001 "*promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS*"

Sincerely,

Katherine R. Ord
1610 Carter Creek Road
Dillon, MT 59725

Nowakowski, Sonja

From: Frank Raiser, MD, FACS [frmd@silverbowsurgical.com]
Sent: Tuesday, June 29, 2010 5:51 PM
To: Nowakowski, Sonja
Subject: Energy Policy

Dear Ms. Nowakowski,

With regard to state energy policy, or at least with regard to the siting of energy related projects that impact large areas and large numbers of people, I feel that it is of the utmost importance that the cost to the public at large be weighed accurately and objectively against the benefit to the people of Montana. Too often, a privately owned utility (Northwestern Energy Comes to mind) tries to twist everyone's arm into letting them build dangerous very high voltage power line projects (MSTI comes to mind) along corridors that are cheap and convenient for the utility, in the process cutting across valuable private land and destroying it's beauty, value, and potential for development, all in order to make a large profit selling power to people out of state. They claim that it is for some greater good and would benefit everyone, but even the most optimistic citizens know this to be a bold-faced lie. No-one I know has any faith that the DEQ will not just "rubber stamp" what NWE wants, so that the DEQ will try to say with a straight face that the best route for a project with significant, if incompletely known human health risks will be right through one of the larger cities in our state (Butte). The state energy policy really should firm up the requirements regarding siting,

in my opinion restricting major power line projects to public lands.

There are supposed to be federally designated "energy corridors" along public lands- these are routes that are already paid for and in government ownership- and I fail to see why any new inter-state powerlines would not be restricted to those corridors automatically by your policies. Furthermore, if there is to be a major powerline through an area that has significant population density, I feel strongly that it should be required by the state that the line be buried. This is required in many locations in the east of our country, and in European countries, due to the proven link to lymphomas, leukemias, and other malignancies induced by strong magnetic fields.

Frank Raiser, MD, FACS
469 Trail Creek Road
Butte, Montana 59701
frmd@silverbowsurgical.com

Nowakowski, Sonja

From: Karen Shores [kshores@3rivers.net]
Sent: Tuesday, June 29, 2010 5:59 PM
To: Nowakowski, Sonja
Subject: No more coal just to balance the budget

Dear Sonya,

Clean energy double those goals. We must stop depending on dirty coal and polluting the atmosphere. This is an outmoded technology and the coal CEOs are making the profit..... again and again the money goes out of Montana.

Karen Shores
Eric Shores
Anni Shores
15 Carkeek Lane
Cameron, Mt. 59720

Nowakowski, Sonja

From: sherman [sherman@montanasky.net]
Sent: Tuesday, June 29, 2010 6:24 PM
To: Nowakowski, Sonja
Subject: Energy Legislation

Dear Energy and Telecommunications Committee

The proposed blue print for Montanans energy future must first and foremost emphasize efficiency. We must legislate and learn how to better use our energy resources. Encourage all utilities to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency on their systems.

There must be a strong energy code for buildings that works in tandem with an enforcement system.

Expand energy efficiency incentives to promote and encourage consumer investment in energy efficiency.

Secondly, we must understand that renewable energy is taking hold in the world and it is creating jobs. We can not fall behind. The present major disaster in the gulf should tell us all that we have a greed for fossil fuels that is killing our planet. Fossil fuels encourage the continued development and burning of Montana's coal resources. To put our head in the sand and think that coal will save Montana's economy is short sighted. We are threatened by climate changes which will cost us heavily. Let us be proactive and on the cutting edge and put our state in the direction of clean renewable energy efforts. The easy way out is to keep doing the same old, same old. This is not our future. No more emphasis on fossil fuel development.

Thank you,

Roger Sherman
6203 Monterra Ave
Whitefish, MT 59937

Nowakowski, Sonja

From: rex campbell [rexvcampbell@yahoo.com]
Sent: Tuesday, June 29, 2010 10:56 PM
To: Nowakowski, Sonja
Subject: Energy Policy

I have a few general comments in regards to the energy policy that your group is addressing.

First,the energy policy should be geared for the citizens of Montana,not utility companies whether in state or out-of-state.

Second,the electrical infrastructure i.e.substations,collector sites,collector lines,etc.should have EISs.How else can the public or yourselves know whether a proposal is good or bad.

The MSTI proposal is a hot topic today.First,NWE has a preferred route,but meets opposition from the citizens of Butte so an alternate route is then proposed because it is felt to be a path of least resistance due to population.That should not be the criteria and it sure doesn't make it right.The federally designated 368 energy corridors were specifically established to expedite the processing of these new transmission lines. NWE and DEQ/BLM/USFS have blatantly disregarded the establishment of these corridors in this project. The 368 corridor roughly parallels the BPA line route. BLM signed off on the record of decision for this in 2008; the USFS signed off on the record of decision in 2009. You can read through the programmatic eis that was done on this at the following link:

<http://corridoreis.anl.gov/>

Why are they ignoring what in the BLM record of decision is termed - the only lands to use for lines that are built for a federal energy initiative project?

Citizens,like myself,are counting on groups such as yours to make sure the right things are done for Montana,not Nevada,California,or wherever.

Thank you.

Rex Campbell

Nowakowski, Sonja

From: Kristen Walser [kwalser14@yahoo.com]
Sent: Wednesday, June 30, 2010 8:32 AM
To: Nowakowski, Sonja
Subject: Comment on Energy Policy

Dear Ms. Nowakowski,

Thank you for your work for the energy committee. I installed a 3.6 KW/h solar panel system 12/31/09. I took advantage of the state loan program, credits, and net metering opportunities and am very pleased with the system. I became aware of the issue that some electric cooperatives make it economically impossible for individuals to install green energy systems. The Park County coop charges about \$45 a month to just connect to their grid, evidently due to a bias toward energy produced by coal plants. I think coops should accept individual's energy without cost, and that the 50 Kw limit be raised.

Regarding coal fired plants, it is important to include the cost of CO2 emissions. Can you estimate it with insurance company predictions or some other measure, since we don't have federal guidelines yet.

Thank you,
Kristen Walser

Nowakowski, Sonja

From: William Childrey [wchildrey@verizon.net]
Sent: Wednesday, June 30, 2010 9:05 AM
To: Nowakowski, Sonja
Cc: Elizabeth Childrey
Subject: state energy policy

Dear Ms Nowakowski,

Thank you for this opportunity to comment on Montana's energy policy. As introduction, I own a small ranch on the Big Hole River near Notch Bottom. Recently we were made aware that the preferred route for the so called, MSTI, power line, if approved, would bring it near us. To be honest until now I never paid much attention to power lines of this magnitude and what happens to the land and landscape. I'm becoming an expert. But you really don't need to know anymore than to picture the environmental impact to the view shed that they cause. No one wants to live near or around them. They are an eyesore and in the case of MSTI, it will ruin another large section of Montana and particularly, the Big Hole River, a river, many feel is the most beautiful freestone trout stream in America.

I understand that the current administration wants to export more MT energy. On the surface that sounds like a good idea. However, there seem to me to be more negatives than positives with this idea, especially as it pertains to the need for power lines of the size and scope of MSTI. I may ramble a bit here but some of the cons are: 1. property rights. Basically, you are taking people's land, if not through eminent domain, then through some charade about offering some kind of "fair market" value. Suppose someone just doesn't want to sell? Suppose he is a good steward of the land and just wants to keep it and be left alone? 2. Public good. Where is the public good to Montanans in taking their land to sell energy to other states? 3. View shed. There should be provision for loss of value of the land within the view shed because those landowners are losing just as much as those who own land directly in the path. 4. The Market. Can you really compete long term with energy sources closer to the energy users? Transmitting energy, renewable or fossil fuel, 1000 miles has some problems. It makes it expensive because you lose a lot along the way. And do you think other energy providers closer to the end user are just sitting around. Arizona, Nevada, both have huge solar energy resources that will be coming to market soon. In the MSTI case, Northwestern Energy is touting 10 year contracts backed by bank letters of credit. That's a joke! Since deregulation, electricity is just a commodity, bought and sold daily on the open market. I doubt there are any 10 year contracts being written. And with the current financial crisis, I know there are no banks that are going to guarantee them. 5. The company. I should mention that one should be careful who gets the charge to execute the state's energy policy. Northwestern Energy doesn't give many of us confidence that they can do anything, much less build massive 500 Kw power lines while in bankruptcy. 6. Marketing Montana. What is Montana all about? Is building power lines of the scale required to export large amounts of energy compatible with the marketing slogan, "Big Sky Country", "The Last Best Place"? We bought our place in Montana because we thought it was the last best place. We could have gone to Jackson Hole, Sun Valley or any of the other primo resort areas in the Rockies. But we bought here for all the reasons that I think you and other Montanans live here. Wide open spaces, beautiful views associated with unfettered drifts down amazing rivers, hiking with the chance to experience free roaming wildlife, horseback riding for days without seeing anyone. Where is the sanity in spoiling what people love about this State? Whatever the energy policy is, it shouldn't conflict with what brings literally thousands of visitors here every year. Nor should it conflict in my opinion with what brings people like me here to own a piece of that experience. We have fostered the rise in land values. We employ lots of people, i.e. architects, engineers, construction crews. We bring in guests. We use the stores and services of the area. Build your power lines and we will stop coming and begin leaving. 7. Land Stewards. Montanans talk a lot about being stewards of the land. Please make certain your energy policy doesn't conflict with that idea.

Respectfully submitted, Bill Childrey

Nowakowski, Sonja

From: gary Wiens [gwiens@mtco-ops.com]
Sent: Wednesday, June 30, 2010 2:18 PM
To: Nowakowski, Sonja
Subject: COMMENT ON LC 6000 BEFORE ETIC

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2025 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;" (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "...Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

- Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.
- Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating – as would happen under the state RPS – that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of my comments.

Best Regards,

Gary Wiens
Montana Electric Cooperatives' Association

Nowakowski, Sonja

From: Linda Holding-Schure [lhs@blackfoot.net]
Sent: Wednesday, June 30, 2010 3:55 PM
To: Nowakowski, Sonja
Subject: draft energy policy comments

Efficiency and conservation:

- Allows energy efficiency to form the cornerstone of Montana's energy policy.
- Encourages all utilities to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency on their systems.
- Advocates for a strong energy code for buildings that works in tandem with an enforcement system.
- Expands energy efficiency incentives to promote and encourage consumer investment in energy efficiency.

Increasing fossil fuel use:

- Encourages the continued development and burning of Montana's coal resources.
- Promotes projects that convert coal to electricity, synthetic petroleum products, methane, natural gas, and chemical feedstocks. The statement includes a reference to reducing greenhouse gases, but ignores the fact that there are no technologies available to control emissions from these types of fossil fuel projects.
- Increases oil and gas exploration and development.

An "energy blueprint" should establish an innovative energy policy for Montana based upon cost-effective, clean, and sustainable energy solutions. It should not be based on dirty technologies from the past.

Please consider the fact that Montanans do not want to go down in history as a state that promotes avid recreation on the one hand, even advertises extreme sports in job recruitments, then, turns the other cheek when it comes to keeping the ecosystems safe from unusual development. There is no "clean coal," we all know that. Leaving coal in the ground for development over a long period of time makes more sense than to sell it quickly to the lowest bidder for a short run. Why can't Montana become a model for slow development of fossil fuel and jump starting the subsidies that need to be made for alternative energy.

I spent \$22,000 on solar panels for my home and did not qualify for a state reimbursement for buying alternative energy. I felt robbed. The state will sell coal for \$.15 a ton, but won't give its citizens incentive to build solar. Something is very wrong with that equation.

Good Luck and thank you for allowing me my comments.

Sincerely,

Linda Holding Schure, P.O. Box 812, Arlee, MT 59821, lhs@blackfoot.net

Nowakowski, Sonja

From: Leonard Sivumaki [ftmtn@3rivers.net]
Sent: Thursday, July 01, 2010 9:09 AM
To: Nowakowski, Sonja
Subject: ETIC

Dear ETIC Committee Members,

Thank you for the opportunity to comment on the draft energy policy statements that were agreed to by the committee on May 13, 2010.

I am concerned with draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute,---"promote efforts to classify capacity expansions to existing hydro-electric facilities as an eligible renewable resource as defined in 69-3-2004, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2025 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities".

By stating, "Montana's many energy utilities", it appears to include all of Montana's electric cooperatives into the draft language.

I urge the committee to delete this portion of the draft for the following reasons:

1. Electric cooperatives were not placed under the state's Renewable Portfolio Standard when this legislation was debated by the Legislature in 2005. The removal of local control, a historically honored principle and repeatedly upheld by the Legislature, would be harmful to nearly 400,000 Montanans served by electric co-ops.
2. Under the state's RPS statute, Montana's larger electric cooperatives (5000 or more meters) are required to consider an RPS, but retain local control over final decision making on the purchase of alternative energy.
3. Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases. This is largely because electric co-ops power supply portfolios consist of from 25% to nearly 100% renewable hydro-power. If co-ops were mandated to purchase a portion of their power from other sources, it would force co-ops to relinquish an equal amount of cost-based hydro-power for much higher priced energy, resulting in much higher rate increases to it's member/consumers.
4. Voluntarily, Montana's electric co-ops are already advancing the use of alternative energy.---For example: I am a member of Sun River Electric Cooperative a part owner of Basin Electric Power Cooperative, which will reach 20% of it's power generating capacity by alternative methods in 2010.

Montana's electric cooperatives are doing everything possible to promote renewable energy development and are voluntarily and actively engaged in this effort. As consumer-owned, not for profit utilities, the co-ops primary mission is to deliver reliable and affordable electricity to it's member-owner/consumers.

In closing, I again urge the members of this committee to consider deleting the problematic language from the draft energy policy amendment.

Thank you again,

Sincerely,

Leonard Sivumaki
110 Fleming Rd.
Sun River, MT 59483

Member of Sun River Electric Cooperative, Inc., Fairfield, MT.

June 30, 2010

Ms. Rebecca Kelch Mitchell
Mr. Wayne M. Mitchell
P.O. Box 739
Townsend, Montana 59644

Ms. Sonja Nowakowski
Legislative Services Division
P.O. Box 201704
Helena, Montana 59620-1704

Dear Ms. Nowakowski:

This letter is being sent to provide comment on Montana's proposed state energy policy (90-4-1001, MCA). The information contained herein will focus on Part 1 of IX - "Rebuilding and extending electric transmission lines" and Part II of IX - "Integrating wind energy."

We thank you for the opportunity to comment and provide additional thought to the Energy and Telecommunications Interim Committee (ETIC) of the Montana Legislature.

We hope to see you at the public comment period during the July 28-29 ETIC meeting in Helena. Please send us the scheduled date, time, and location for public comment.

Thank you.

Sincerely,

Rebecca Kelch Mitchell and Wayne M. Mitchell

Part 1 of IX “Rebuilding and extending electric transmission lines”

Governor Schweitzer’s Energy Policy statement on transmission (p. 1). This needs to include Governor Schweitzer’s most recent statement at the Western Governors Association meeting in Whitefish (June 28, 2010). “The lines must be placed on federal public land that dominates much of the region.”

Findings (p 1). Stronger language needs to be included to ensure there is coordination with the public. As concerns the proposed Mountain States Transmission Intertie (MSTI) project, while we would agree that the information dispersed by NorthWestern Energy and local governments in the early stages (i.e., 2007) was within the law, most of the information distributed was about as clear as the Missouri River during spring flooding. In actuality, many people did not learn about the proposed MSTI project until early 2010.

The Open House meeting format used for the MSTI project may be a well-established format for distributing information, discussing issues, and soliciting comments important to attendees, BUT when only 141 people from six counties attend, the message is not being delivered adequately.

There is something inherently flawed with the process if affected property owners and adjacent property owners find out about proposed substations (collector sites) and transmission lines crossing private property late in the course of action. Additionally, from our perspective, nothing about the process concerning MSTI has been transparent—not the scope of the project, the size of the collector site, the location of the lines, the exact number of lines coming in and going out of the collector site, the need for MSTI, even whether it will be built to transport green energy, coal, or natural gas. The public needs to be informed early and often.

Background (p. 2). The information in the second paragraph concerning the demand for electricity sites only one study. To be fair, there are many studies concerning demand which disputes those statistics. Three are sited below. Why are such studies not included?

According to FERC.gov (May 5, 2010), “...demand for electricity dropped by 4.2% in 2009. This was the greatest decline in a single year in at least 60 years, and with 2008, the only time electricity has fallen in consecutive years since 1949.”¹

According to an Alternative Evaluation Study conducted in 2004 by the Southern Montana Electric Generation and Transmission Cooperative, “The amount of electricity

used on a per-residential-customer basis is expected to remain relatively constant due to increasing slightly over the...next 20 years." Factors influencing this include more efficient heating appliances, refrigerators, freezers, lighting, washers, and dryers.²

Finally, according to the Northwest Power and Conservation Council in Portland, Oregon, "The Northwest should meet most of its electricity needs over the next two decades through extensive energy conservation efforts. Their data estimates that 85% of Oregon, Washington, Idaho, and Montana's new power demand over the next 20 years...could be met through conservation. Finding additional power through efficiency will be far cheaper than developing new power generation."³

Background (p. 3). The Montana Major Facility Siting Act (MFSA) is a farce! The MFSA was created to maintain and improve a clean and healthful environment for present and future generations, to protect the environmental life support system from degradation, and to prevent unreasonable depletion and degradation of natural resources. When it was first passed, the MSFA required power plants, energy pipelines and transmission lines to show they served the public interest, public convenience, and necessity, and that energy developments were environmentally compatible.

OVER THE YEARS THE LEGISLATURES SLOWLY DISMANTLED AND EVICERATED THE ACT.

- In 1997, the legislature voted to eliminate the requirement that developers demonstrate the need for energy generation plants and show that a project is in the public interest.
- In 2001, the legislature removed power plants outright from any review and shortened the review timelines and exempted additional facilities including most pipelines.
- In 2003 and 2005, all power plants and most transmission lines, including those that are 230kV or less, and pipelines were made exempt from review.
- In 2007, substations were removed from review.

Currently, the MFSA does little to protect Montanans from large-scale industrial facilities. What were they thinking? This major energy policy needs to be amended to include its former language in order to protect the public. It is imperative that language be included in the policy to cover substations and collector sites irrespective of whether they are part of a larger transmission project or not so this type of facility is required to have its own Environmental Impact Study.

Transmission Taxation and Incentives (Title 15, chapter 24, part 31, "Clean and Green," p. 4). AND

Part II of IX – "Integrating wind energy."

These portions of the policy need to include more details on what is really "clean and green" because green really isn't green after all.

Findings (p. 1) and Recommendations (pp. 3-4). This document seems to assume that wind energy is the best alternative energy use; yet there is tons of evidence that wind energy is not only inefficient but hazardous, too. The policy language is tilted and needs to look at other facts. For example: According to the Environmental Protection Agency (EPA), "sulfur hexafluoride (SF₆) is the most potent greenhouse gas studied to date, with a global impact of 23,900 times carbon dioxide (CO₂), and [with a] much longer lifespan (estimated at 3,200 years, compared to [CO₂'s] 50-100 years). Almost all of it is used and emitted in electrical transmission and distribution, with big spikes in emissions during construction of lines. In 1998, U.S. emissions of SF₆ were estimated at 10 million metric tons of carbon equivalent."⁴

The information cited includes wind power as being an "intermittent resource...which must be offset with other resources to maintain the power grid." We personally believe that a utility which touts "green energy" should be transporting "green energy." This has not happened in the case of MSTI. In fact, coal will also be transported across the MSTI line. There should be language in the policy that disallows a utility company from stating wholly or even giving the impression that a transmission line is "green" when in fact it is not.

We, like many of our friends and neighbors, are proponents of innovation that would reduce the carbon footprint on our beautiful state. There is a Wyoming study which indicates that coal mined for one year could produce 1.2 billion megawatt (MW) hours of power. The equivalent would require 219,000 wind turbines consuming 19.7 million acres. Are we destroying the very thing we are trying to preserve?⁵

"It has been found that wind power all across the USA provides less than 1% of our needed electric power. By 2025, at the current rate of wind farm development, there will be 42,000 wind towers covering 3,750 square miles but will still only generate 3.7% of our needs."⁶

With no requirements or specifications to determine when to decommission wind turbines (the source of the 230 kV lines coming to the collector site south of Townsend [e.g., Judith Gap]), the likelihood that Montana wind farms will someday look like

Tehachapi Pass in California runs high. Do we really want these eyesores in our state? (Note: Tehachapi Pass is one of the largest wind parks in the world with over 5,000 wind turbines owned and operated by a variety of different entities and arising from several generations of towers beginning in the 1980's (e.g., one blade, two blades, or the more modern three-blade design). Language needs to be included in the policy concerning decommissioning. ⁷

Wind Energy Taxation and Incentives. There seems to be a great deal of information missing in this section. It is a sad state of affairs that we have provided so many incentives for foreign entities and little for American companies. The federal stimulus legislation opened the floodgates of tax dollars for wind farm owners and developers. Many of those proposing development in Montana are foreign owned companies (e.g., Fuhrlander, Grasslands Renewable Energy LLC, Iberdrola, TransCanada, and Montana Alberta Tie Ltd.). It doesn't seem fair that foreign entities reap profits while Montanans must suffer the consequences of the initiatives by paying higher electric rates and taxes. ⁸

Owners of wind farms enjoy enormous federal and state tax breaks that permit them to shelter profits. There are many federal and state tax breaks and subsidies for wind farms. For example, in May 2007, Governor Brian Schweitzer put forth legislation commonly known as the "clean and green" energy tax incentives. This legislation was aimed at attracting new energy businesses to Montana. When the package passed, it included tax breaks (as much as 87%) for transmission lines, pipelines, and energy generation that meet clean energy requirements. This property tax break will be in place for 19 years! Surely something could be included in legislation that disallows this travesty.

Sources:

¹ FERC.gov. May 5, 2010.

² "Alternative Evaluation Study." Southern Montana Electric Generation and Transmission Cooperative, Inc. October 2004.

³ Preusch, Matthew. "Conservation Efforts Will Play Key Role in Meeting Northwest's Energy Needs." *The Oregonian*. February 10, 2010.

⁴ basinandrangewatch.org

⁵ Friends of the Grande Ronde Valley. *The Newsletter*. Vol. 1, Issue 1. February/March 2010.

⁶ Ibid.

⁷ http://en.wikipedia.org/wiki/Tehachapi_Pass_Wind_Farm and <http://www.wind-works.org/articles/TehErosion.html>.)

⁸ Glenn Schleede. "Federal and New York Officials Reward Spain's Iberdrola at the Expense of U.S. Taxpayers, Job Seekers, and Electric Customers." *MasterResource*. March 1, 2010.

Nowakowski, Sonja

From: Starshine [dr.starshine@gmail.com]
Sent: Thursday, July 01, 2010 4:15 PM
To: Nowakowski, Sonja
Subject: Clean Energy Future

Sonja,

I have 18 grandchildren and they simply must NOT be saddled with polluted air or water.
Starshine

--

I don't know the key to success, but the key to failure is to try to please everyone.
Bill Cosby



Montana Electric Cooperatives' Association

Robert Evans, Jr.
President

Rick Molvig
Vice President

Leonard Sivumaki
Secretary/Treasurer

David M. Wheelihan
Chief Executive
Officer

July 1, 2010

Legislative Services Division
Attn: Ms. Sonya Nowakowski
P.O. Box 201704
Helena, Montana 59620-1704

RE: Energy Code Provision Comments on LC 6000

Dear ETIC Committee Members:

Montana Electric Cooperatives' Association appreciates the opportunity to submit comments on LC 6000. In particular, we are commenting on the energy code provision of this draft legislation.

Sections (aa), (bb), and (cc) all focus on energy code enforcement in Montana. They read as follows:

(aa) promote a strong energy code to ensure that all homeowners and business owners experience the economic benefits of energy efficiency and conservation;

(bb) advocate for an energy code that works in tandem with an enforcement system that is unique to Montana and that recognizes tribal sovereignty, local government authority, and existing self-certification program; and

(cc) encourage the appropriate state agencies, local government entities, and stakeholders to work together and review the existing enforcement system in Montana and recommend changes if necessary.

While these statements are a good start, they need to be stronger.

Montana has a good energy code and it was just recently updated. This updated code could reduce the need for additional new generation and could provide huge savings to ratepayers, but only if it is actually enforced. As the Committee heard in testimony from the state last December, energy code in Montana is essentially voluntary. Only four jurisdictions actually enforce the energy codes locally, with the rest of the state left to the state inspectors. As the testimony indicated, code enforcement is spotty at best and too many new Montana homes do not meet the energy code.

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Several things happen when a new home is built below the energy code. First, the homeowner is billed for the higher usage and may have trouble paying their bill. Second, all other customers of that utility experience higher costs because the utility must seek additional power suppliers at higher cost than they are paying for their existing supplies. The utility and its consumers or the homeowner will eventually pay for weatherizing the new home. While this effort can capture some of the savings that should have been built into the home originally, some measures such as slab insulation can never be recovered.

We urge the Committee to adopt stronger language encouraging the Legislature to enforce Montana's existing energy code.

The members of Montana Electric Cooperatives' Association appreciate the opportunity to comment on LC 6000. Please contact us if you have any questions.

Best Regards,

A handwritten signature in blue ink, appearing to read "Gary Wiens", with a long horizontal flourish extending to the right.

Gary Wiens
Assistant General Manager

Nowakowski, Sonja

From: Wade Sikorski [wds@midrivers.com]
Sent: Thursday, July 01, 2010 6:40 PM
To: Nowakowski, Sonja
Subject: LC 6000 - Revised Energy Policy
Attachments: Essay on Economic Development.doc

To the Energy and Telecommunications Committee,

As I understand it, you are developing an energy plan for Montana. I urge you to develop a plan that will adequately address the issue of climate change.

I have looked at the idea of using coal to provide energy very carefully, trying to find a way to make it work, and frankly there simply is no way. There is no such thing as clean coal. Carbon sequestration in geologic formations is an unproven technology that is decades away from being deployable. According to climate scientists, we don't have the time. We need to start immediately on developing responsible energy sources, like wind power.

We also need to look at ways to effectively sequester carbon dioxide. One of the most effective ways appears to be plowing biochar into farmland. This has the double advantage of improving soil quality. I urge you to provide incentives for farmers to start doing this.

I am attaching an essay I wrote about the need for a dramatic change in energy policy. Some people say that a responsible energy policy will harm economic development. I argue that you cannot separate economic policy from ecological policy. The only way that economic development will truly happen is if all the environmental impacts are included in market transactions. When economic externalities are included, like the impact on the climate and what that will mean for agriculture, coal is not cheap. It is, in fact, one of the most expensive sources of energy, far more expensive than wind power.

Montana agriculture is very vulnerable to climate change. In my paper I present evidence that the kinds of temperature change that we will face if we continue business as usual, maximizing the use of coal, will result in an economic catastrophe for Montana's agriculture. Farmers simply will not be able to grow crops if we use coal the way that some are advocating.

Please read my paper. I have very carefully footnoted everything in case you want to check up on my sources. I realize that it is a long paper, but I think it contains a lot of useful information for you to consider.

Wade Sikorski, Ph.D.

The Climate Crisis and Eco/nomic Development

Before it is too late

We are faced with the fact, my friends, that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history, there is such a thing as being too late. Procrastination is still the thief of time. Life often leaves us standing bare, naked, and dejected with a lost opportunity. The 'tide in the affairs of men' does not remain at the flood; it ebbs. We may cry out desperately for time to pause in her passage, but time is deaf to every plea and rushes on. Over the bleached bones and jumbled residues of numerous civilizations are written the pathetic words: 'Too late.'

Martin Luther King

The Economics of the Eco/nomy

Deconstructing the “balance” between the economy and the environment: According to the ethos of economic development, at least as it is commonly presumed, we must strike a balance between the economy and the environment. Environmental protection is a cost that sacrifices economic development. To develop Montana, advocates of economic development say, we must develop our coalfields, especially the Otter Creek Tracts, drain our aquifers to extract coal bed methane, build the Tongue River Railroad to haul the coal out, and build the TransCanada Keystone pipeline to bring the Alberta tar sand oil into the country. There may be environmental harm, these advocates of economic development sometimes admit, but they quickly add that we must all learn to make sacrifices for a greater good, giving up some things we value to get others we value more. Environmental protection harms the economy, reduces profits, decreases investment, and eliminates jobs, we are told, and so, we must strike a balance, make a sacrifice, and be realistic in our goals.

That’s the story we are told over and over again until it seems impossible to think otherwise. However, repetition doesn’t make anything any truer; it just makes it harder to think about what is going on. If we actually think about the “balance” we are invited to strike, carefully exploring its implications based on what this would actually mean, we will find being “balanced” is not practical, realistic, or wise, but a corporate public relations artifice produced by assumptions that, though innocent enough in the beginning, were never carefully considered. As science is increasingly showing us, there are not two things in balance, the economy and the environment, one going up while the other goes down, but only one thing that must, before it is too late for future generations, be considered as a whole, the eco/nomy.

If we think about our economic relation to the environment carefully, fully exploring the consequences of our actions, we will find that environmental harm is always economic harm. For example, as Steve Running, a University of Montana Montana's expert, argued to the Land Board late in 2009 before it decided on leasing the Otter Creek coal tracts, the global warming that will result from burning the 1.3 billion tons of coal in the Otter Creek area will harm not only the environment but the state economy as well. When the Otter Creek coal is burned, more than 2.5 billion tons of carbon dioxide will be released into the atmosphere, which will significantly harm other, more sustainable, revenues from State land, including hydropower, farming, grazing, and forestry.¹ The sacrifice made for coal development is not just to the environment, it is to the economy as well. We can develop coal, or we can maintain agriculture. We can’t do both. The balance isn’t between the environment and the economy; it is much more complicated than that.

Word origins: As many have pointed out, the words ‘economy’ and ‘ecology’ have a similar root, *eco*, which is derived from *oikos*, the ancient Greek word for dwelling place,

¹ Anne Hedges, “Mining Coal at Otter Creek—A Colossally Bad Idea,” *Down to Earth* (Dec 2009, Vol. XXXV, No. 4), pp 1.

especially a house, which was called *woikos*, and had a meaning similar to the Latin *uicus*, and the Medieval Latin *vicus*, which became the English words *village* and *vicinity*. *Oikos* is also a root in the Greek word *oikonomos*, which means steward, which is related to *nemein*, to distribute. So, *oikonomia*, what we now understand as economy, meant household management.² All of this suggests that the eco/nomy is not separate from the ecosystem, sitting opposite of it on the other side of a balance, but identical with it. Ecology and economics have the same object of study, the *oikos*.

Framing our world more abstractly than the ancients did, we moderns are not in the habit of thinking about eco/nomics in this way, as something so practical, caring, and close to home, involving cooking, maintaining a garden and an orchard, keeping livestock, storing food, and perhaps bartering for things the household could not produce. Instead, we think of economics as a science that is as mathematical as it is global, a complex study of supply and demand, which mostly involves the human world of money, markets, and prices. In modern economics, things are commodities, products measured by their exchange value, as a means for profit, rarely by their use value. We think of the household as merely a metaphor for national economy, the global market. But perhaps we are missing something that the roots of the words ‘economy’ and ‘ecology’ both remember.

Where the modern science of economics is vast and global, its roots in Greek language are practical and local, involving the care not only of family and friends, but also of buildings, livestock, gardens, and orchards. The roots of economics draw us near to the dwelling place, the needs of maintaining a household, which, in the world the word originally came from, did not necessarily involve market exchange. Actually, the ancient household was probably more concerned with growing a garden, maintaining an orchard, and perhaps hunting and foraging in the wild forest. That was what responsible stewardship of the household was mostly about in the ancient world, dealing with the ecosystem, nature’s economies. Now, “household management” seems to be above nature, beyond it, separate from it, and, as a result, economics and ecology study two entirely different things, economics the human world and ecology the natural world. Because of this artificial distinction between the human world and the natural world, nurturing nature is now a “cost” that must be “balanced” against environmental “values.”

Despite this division of labor, there are suggestions, even in the modern world, that the object of study is still the same. Modern ecologists occasionally borrow the equations economists use to model an economy to model an ecosystem. It turns out that different species exchange energy and nutrients in the carbon, nitrogen, and water cycles much the same way that people exchange money, or at least the models are structurally similar.³

Nevertheless, this academic division of labor remains, framing the way in which we think, allowing us to deceive ourselves into believing that we must “balance” our

² Eric Partridge, *Origins: A Short Etymological Dictionary of Modern English* (New York: Macmillan Publishing Co., 1966).

³ Robert Ulanowicz, for example, uses mathematical protocols developed in economics to analyze ecosystem energy flow. Total system throughput (TST) is the equivalent of gross national product (GNP). See, *Growth and Development: Ecosystem Phenomenology* (New York: Springer-Verlag, 1986).

economy against the ecosystem--as if nature were an unlimited resource, and as if we, ourselves, were not natural beings, dependent on the ecosystem for life.

This framing of the world conceals the reality that we are not apart from nature, but totally subsumed by it. Every human economy, be it capitalist, communist, or corporatist, is a wholly owned subsidiary of nature's economy. There are no human economies that are not fully implicated in nature's economies. Pretending otherwise is what brought about the assorted environmental crises that we are facing today--overpopulation, species extinction, toxic pollution, and abrupt climate change. These tragedies are all happening because of the way we frame our relationship to nature.

Reframing economics: To put it another way, we might think of nature as the parent company, and every human economy, whether it is capitalist, communist, or corporatist, as a subsidiary of it. What we are really doing when we "balance" jobs, investment, and profit against the environment is steal from the parent company, moving its assets into the subsidiaries, our human economies. Trying to increase the balance of our bank statements, we bankrupt nature's economies. This can only go on so long. Eventually, the true balance between the economy and the ecosystem has to be paid in full. Either we nurture nature, fully paying for what is due to it, or we will forever be banished from the paradise our Earth has been for us the last 10,000 years.

Science has been hard on anthropocentrism, the philosophy that the universe is there for man. It first taught us that the sun does not go around the earth, but that our sun is but an ordinary star in a vast universe of stars. Then it taught us that humanity evolved not only from the ape, but also from a lowly worm in the mud. Now, ecologists are teaching us that no species is more important than another is. The health of all depends upon the health of each. When the polar bears lose their home, their ecological niche, ours is endangered as well, since it is a part of the vast web of cause and effect tying all of nature's economies. Life on earth is a community, all of us sharing the same household.

The Climate Crisis—from the prairie farm to the planet earth

The most pressing eco/nomic issue we are facing today is the climate crisis. All the other issues we are facing—health care, unemployment, toxic pollution, war, social injustice—are minor in comparison. If we don't stop climate change, and stop it soon, as we shall see, resolving these other issues will be academic. Our eco/nomy, nature's household that sustains all living things, will be shattered and most of us will be dead. This is not an exaggeration, alarmism, or extremism, as I shall attempt to explain. It really is that bad.

My personal experience with climate change: My family owns a ranch in southeastern Montana, where I live and work. Over the last decade, I have noticed that steel fence posts are being driven into the ground by the weight of the snow from spring blizzards, kind of like a straw settling into a milkshake. As the years go by, I increasingly find myself jacking the posts up out of the ground when I make the rounds checking fences in

the spring. When I was a child, the wire would break, but the ground would be frozen when the spring blizzards came and the steel posts would stay where they were. This is a small complaint to be sure, almost too insignificant to mention--if it were not a harbinger of much more.

On another part of our ranch, we have a draw filled with trees. Recently, we discovered that they are all aging, near death, and no new trees are replacing them. Alarmed, we invited a government scientist in to try and figure out what was wrong. He speculated that a shift in grazing patterns had changed everything. The buffalo used to concentrate their grazing, tearing up the ground with their hooves, perhaps giving tree seeds a chance to get started. To see if this explained what was happening, he had us fence in two test plots on the draw. One we grazed heavily, the other we didn't graze at all. However, grazing didn't change anything. No new trees were starting in either plot. After some reflection, the scientist told us that he believes that the reason the trees are not reproducing in our draw is a change in the hydrological cycle due to global warming.

As it was with the steel posts, the warmer winters are melting snow throughout the winter. Snow does not accumulate on the ground the way that it used to, piling up deep in the draws where the trees are. Without the heavy snow to water the tree sprouts and to delay the grass, the trees are finding it too hard to compete against the grass.

Other changes on our place suggest serious economic consequences for all of Montana. On our ranch, we have a flood irrigation system of about 60 acres. When I was a child, the spring melt usually filled the system of dikes with runoff from top to bottom. Some years, we might have had two or three times as much water as we needed to flood all the dikes. One of my most vivid memories of my childhood was standing on a muddy dike in the middle of this project, water all around me like a sea. I was dragging ten pounds of mud on each boot, walking up and down the dikes to open and close the watergates. Little more than three feet tall, I would have been in over my head on either side if I fell in. I remember thinking how cold the water would be if I slipped and fell.

Today, I don't have to worry about that because the water doesn't come anymore. For most of the last decade, I could walk the lands between the dikes and not even get my shoes wet. Perhaps our annual precipitation has declined, but not by that much. What has happened is that our long cold winters, where the snow accumulated until spring and then melted in a rush, have changed. Now, the snow melts away throughout the winter. By spring, the ground has thawed and the water soaks in before it has a chance to run off into our irrigation project.

This system, which worked really well throughout my childhood, is not irrigating our land anymore. This is a considerable economic loss to my family. The windrows made by the swather used to be too big for me to jump across. Now our yields are only a fraction of what they were.

The consequences: According to a recent government report, Montana will average 50, maybe 60, days a year with temperatures over 100 by the end of the century under a high

greenhouse gas emissions scenario.⁴ On average, temperatures across Montana could increase more than 10 F.⁵ This report might be conservative. According to a recent study by the Massachusetts Institute of Technology, called “Greenhouse Gamble,” more realistic modeling showed that under both a “no policy” scenario, which is to say business as usual, and a scenario where nations started to take action in the next few years, the odds have shifted in favor of larger temperature increases than has been previously reported. By the end of the century, there is a 1 in 11 chance that the global average surface temperature would increase by more than 12.6 F. There is a ninety-percent chance that the increase will be between 6.3 and 13.3 degrees F.⁶

“The take home message from the new greenhouse gamble wheels is that if we do little or nothing about lowering greenhouse gas emissions that the dangers are much greater than we thought three or four years ago,” said Ronald G. Prinn, professor of atmospheric chemistry at MIT. “It is making the impetus for serious policy much more urgent than we previously thought.”⁷

An increase of something like 10 F in Montana, which would cause the number of days over 100 F to increase dramatically, would radically decrease the productivity of my family’s farm. My personal rule of thumb, which is probably conservative, is that for every day temperatures are over 100, our wheat yields fall one bushel per acre, two if there is a dry breeze. Using no-till continuous cropping, the spring wheat yields on our place now are between 20 and 30 bushels per acre. We can assume that half of those 50 days over 100 will be during the growing season. So, if these projections turn out to be true, and we lose 25 bushels per acre because of higher temperatures, we might not even be getting our seed back by the end of the century.

Several times, especially during the droughts of the late 80’s, I have driven past our fields in the morning and decided that they looked lush and green, promising at least a decent harvest, and then returned late in the day, after the temperature went over 100, and been amazed at how much the crop had deteriorated. It was as if the ground had sucked the wheat back into it. This isn’t just my observation; science supports it as well. Though there will be a fertilizing effect from increased carbon dioxide, this effect will be canceled out before mid century. Crop ecologists believe that for every 1.8 F rise in temperature above historical norms, grain production will drop 10 percent.⁸ Even without drought, heat causes significant harm to crops, according to *Global Climate Change Impacts in the United States*:

⁴ *Global Climate Change Impacts in the United States*, Thomas R. Karl, Jerry M. Melillo, and Thomas C. Peterson (eds.), (Cambridge: Cambridge University Press, 2009), pp 90. <http://www.globalchange.gov/usimpacts>.

⁵ *Global Climate Change Impacts in the United States*, pp. 29.

⁶ Sokolov, A.P., P.H. Stone, C.E. Forest, R.G. Prinn, M.C. Sarofim, M. Webster, S. Paltsev, C.A. Schlosser, D. Kicklighter, S. Dutkiewicz, J. Reilly, C. Wang, B. Felzer, J. Melillo, H.D. Jacoby, “Probabilistic Forecast for 21st Century Climate Based on Uncertainties in Emissions (without Policy) and Climate Parameters,” *Journal of Climate*, 22(19): 5175-5204, 2009, <http://globalchange.mit.edu/resources/gamble/>

⁷ Andrew Freedman, “MIT Group Increases Global Warming Projections,” *Washington Post* (February 23, 2009). http://voices.washingtonpost.com/capitalweathergang/2009/02/new_research_from_mit_scientis.html

⁸ Lester R Brown, *World Grain Stocks Fall to 57 Days of Consumption*. Earth Policy Institute, (June. 2006) <http://www.earth-policy.org/Indicators/Grain/2006.htm>

The grain-filling period (the time when the seed grows and matures) of wheat and other small grains shortens dramatically with rising temperatures. Analysis of crop responses suggests that even moderate increases in temperature will decrease yields of corn, wheat, sorghum, bean, rice, cotton, and peanut crops. Some crops are particularly sensitive to high nighttime temperatures, which have been rising even faster than daytime temperatures. Nighttime temperatures are expected to continue to rise in the future. These changes in temperature are especially critical to the reproductive phase of growth because warm nights increase the respiration rate and reduce the amount of carbon that is captured during the day by photosynthesis to be retained in the fruit or grain. Further, as temperatures continue to rise and drought periods increase, crops will be more frequently exposed to temperature thresholds at which pollination and grain-set processes begin to fail and quality of vegetable crops decreases. Grain, soybean, and canola crops have relatively low optimal temperatures, and thus will have reduced yields and will increasingly begin to experience failure as warming proceeds.⁹

A paper by Wolfram Schlenker and Michael J. Roberts finds that corn yields could fall by up to 80% under high emissions scenarios by the end of the century.¹⁰ To put it simply, if temperatures rise as much as they might, we won't be able to grow enough food to feed the world.

What climate scientists agree on: James Hansen, the director of the NASA Goddard Institute for Space Studies and generally considered one of the world's leading authorities on climate change, recently explained the consequences of our failure to connect the economics of energy use with the eco/nomics of results:

Planet Earth, creation, the world in which civilization developed, the world with climate patterns that we know and stable shorelines, is in imminent peril. The urgency of the situation crystallized only in the past few years. We now have clear evidence of the crisis, provided by increasingly detailed information about how Earth responded to perturbing forces during its history (very sensitively, with some lag caused by the inertia of massive oceans) and by the observations of changes that are beginning to occur around the globe in response to ongoing climate change. The startling conclusion is that continued exploitation of all fossil fuels on Earth threatens not only the other millions of species on the planet

⁹ *Global Climate Change Impacts in the United States*, pp. 72.

¹⁰ Wolfram Schlenker and Michael J. Roberts. "Nonlinear temperature effects indicate severe damages to U.S. crop yields under climate change," *Proceedings of the National Academy of Sciences*, 106 (37), September 15 2009, pp.15594-15598.

but also the survival of humanity itself—and the timetable is shorter than we thought.¹¹

James Hansen is not a dissident, isolated from mainstream climate science, it should be emphasized, but a reflection of what the overwhelming majority of climate scientists believe, as Naomi Oreskes reported in *Science*. Because this is a crucial point, I will quote her argument in length:

The scientific consensus is clearly expressed in the reports of the Intergovernmental Panel on Climate Change (IPCC). Created in 1988 by the World Meteorological Organization and the United Nations Environmental Programme, IPCC's purpose is to evaluate the state of climate science as a basis for informed policy action, primarily on the basis of peer-reviewed and published scientific literature. In its most recent assessment, IPCC states unequivocally that the consensus of scientific opinion is that Earth's climate is being affected by human activities: "Human activities ... are modifying the concentration of atmospheric constituents ... that absorb or scatter radiant energy. ... [M]ost of the observed warming over the last 50 years is likely to have been due to the increase in greenhouse gas concentrations."

IPCC is not alone in its conclusions. In recent years, all major scientific bodies in the United States whose members' expertise bears directly on the matter have issued similar statements. For example, the National Academy of Sciences report, *Climate Change Science: An Analysis of Some Key Questions*, begins: "Greenhouse gases are accumulating in Earth's atmosphere as a result of human activities, causing surface air temperatures and subsurface ocean temperatures to rise." The report explicitly asks whether the IPCC assessment is a fair summary of professional scientific thinking, and answers yes: "The IPCC's conclusion that most of the observed warming of the last 50 years is likely to have been due to the increase in greenhouse gas concentrations accurately reflects the current thinking of the scientific community on this issue."

Others agree. The American Meteorological Society, the American Geophysical Union, and the American Association for the Advancement of Science (AAAS) all have issued statements in recent years concluding that the evidence for human modification of climate is compelling. The drafting of such reports and statements involves many opportunities for comment, criticism, and revision, and it is not likely that they would diverge greatly from the opinions of the societies' members. Nevertheless, they might downplay legitimate dissenting opinions. That hypothesis was tested by analyzing 928 abstracts, published in refereed scientific journals between 1993 and 2003, and listed in the ISI database with the keywords "climate change."

¹¹ James Hansen, *Storms of my Grandchildren: The Truth About the Coming Climate Catastrophe and Our Last Chance to Save Humanity* (New York: Bloomsbury USA, 2009), pp IX.

The 928 papers were divided into six categories: explicit endorsement of the consensus position, evaluation of impacts, mitigation proposals, methods, paleoclimate analysis, and rejection of the consensus position. Of all the papers, 75% fell into the first three categories, either explicitly or implicitly accepting the consensus view; 25% dealt with methods or paleoclimate, taking no position on current anthropogenic climate change. Remarkably, none of the papers disagreed with the consensus position.

Admittedly, authors evaluating impacts, developing methods, or studying paleoclimatic change might believe that current climate change is natural. However, none of these papers argued that point. This analysis shows that scientists publishing in the peer-reviewed literature agree with IPCC, the National Academy of Sciences, and the public statements of their professional societies. Politicians, economists, journalists, and others may have the impression of confusion, disagreement, or discord among climate scientists, but that impression is incorrect.

The scientific consensus might, of course, be wrong. If the history of science teaches anything, it is humility, and no one can be faulted for failing to act on what is not known. But our grandchildren will surely blame us if they find that we understood the reality of anthropogenic climate change and failed to do anything about it. Many details about climate interactions are not well understood, and there are ample grounds for continued research to provide a better basis for understanding climate dynamics. The question of what to do about climate change is also still open. But there is a scientific consensus on the reality of anthropogenic climate change. Climate scientists have repeatedly tried to make this clear. It is time for the rest of us to listen.¹²

The problem of denial: Nevertheless, for all the confidence scientists have in their research into anthropogenic climate change, climate change deniers, funded by Exxon and misled by *Fox News*, the *Wall Street Journal* editorial page, Rush Limbaugh, as well as a handful of climate scientists like Fred Singer, Patrick Michaels, and Richard Lindzen, have succeed in generating significant doubt among Americans about climate change. In a 15-nation poll that Pew Global conducted in 2006, just 19% of Americans say they worry a lot about global warming, the lowest in the 15 countries surveyed. In contrast, in Japan 66%, India 65%, Spain 51%, and France 46% say they personally worry a great deal about global warming.¹³ A 2009 poll by the Pew Research Center found that "[w]hile 84% of scientists say the earth is getting warmer because of human

¹² Naomi Oreskes, "BEYOND THE IVORY TOWER: The Scientific Consensus on Climate Change," *Science*, (December 3, 2004), p. 1686.

¹³ Pew Research Center, "No Global Warming Alarm in the U.S., China," *15-Nation Pew Global Attitudes Survey*, (June 13, 2006). <http://pewglobal.org/reports/pdf/252.pdf>

activity such as burning fossil fuels, just 49% of the public agrees."¹⁴ Obviously, the American public is being led astray.

Failure to respond to the reality of the climate crisis will have serious consequences, much greater than people seem to realize. According to James Hansen, "Humanity treads today on a slippery slope. As we continue to pump greenhouse gases into the air, we move onto a steeper, even more slippery incline. We seem oblivious to the danger—unaware how close we may be to a situation in which a catastrophic slip becomes practically unavoidable, a slip where we suddenly lose all control and are pulled into a torrential stream that hurls us over a precipice to our demise."¹⁵ He adds later on in his book, ". . . I've come to conclude that if we burn all reserves of oil, gas, and coal, there is a substantial chance we will initiate the run-away greenhouse. If we burn the tar sands and tar shale, I believe the Venus syndrome is a dead certainty."¹⁶

The beautiful morning star, Venus has a hellish hot atmosphere and surface because of a runaway greenhouse effect. Scientists believe that at one stage in its history, when the sun was cooler than it is now, Venus had water on its surface, and was not that dissimilar from earth. It might even have even been cool enough to have evolved life. However, as the sun warmed, the water on its surface evaporated, carbon dioxide was released from the planet's crust, and the combined greenhouse effect of both water vapor and carbon dioxide amplified each other, dramatically increasing temperature. Now, the surface of Venus is now hot enough to melt lead. If we initiated the Venus syndrome on earth, letting positive feedback loops spiral out of control, our planet might become almost as uninhabitable. Our atmosphere would change dramatically, and eventually most, if not all, life on earth would die.

But earth is not like Venus, at least not yet: According to James Lovelock,¹⁷ Lynn Margulis,¹⁸ and increasing numbers of other scientists,¹⁹ the earth system as a whole, which Lovelock famously dubbed "Gaia," from the Greek word for mother, behaves as a single, self-regulating system--a gigantic single life form. In the same way that our bodies maintain a constant temperature, Earth does the same thing. It self-regulates to maintain homeostasis, a steady climate supportive of life. As a result of complex interactions between the atmosphere, the oceans, the continents, and many different living organisms, various Earth systems function like a thermostat. When things get too cool to be comfortable for life, they release greenhouse gases to warm things up. When it is too warm, they take greenhouse gases out of the air and sequester them in the soil or deep in the ocean.²⁰ Scientists call this self-regulating process a feedback loop. A negative feedback loop is like thermostat. It dampens a tendency and maintains

¹⁴ Pew Research Center, "Public Praises Science; Scientists Fault Public, Media," (July 9, 2009). <http://people-press.org/report/528>

¹⁵ Hansen, *Storms of My Grandchildren*, pp. 70.

¹⁶ Hansen, *Storms of My Grandchildren*, pp. 236.

¹⁷ James Lovelock, *The Ages of Gaia* (New York: WW Norton, 1988).

¹⁸ Lynn Margulis and D. Sagan, *Acquiring Genomes: A Theory of the Origins of Species* (New York: Basic Books, 2002).

¹⁹ Stephen Schneider and James R. Miller, Eileen Crist, and Penelope Boston, eds., *Scientists Debate Gaia: The Next Century* (Cambridge: MIT Press, 2004).

²⁰ James Lovelock and Lynn Margulis, "Atmospheric homeostasis by and for the biosphere: The Gaia hypothesis," *Tellus*, (26: 1974), pp. 2-10. See also, James Lovelock, *The Ages of Gaia* (New York: W.W. Norton, 1988).

homeostasis, a constant temperature. A positive feedback loop, on the other hand, amplifies a tendency and undermines homeostasis.

Despite the romanticism of thinking of Earth as a single living being, there is nothing romantic or mystical about Lovelock's theory. Homeostasis is maintained by evolutionary selection, though with a twist supplied by Lynn Margulis to evolutionary theory.²¹ To illustrate how Earth systems might function to achieve homeostasis, Lovelock created a simple computer model, Daisyworld, to show how evolutionary selection between two different populations of daisies, one white and the other black, would self-regulate. The two populations of daisies maintain homeostasis simply by mere survival of the fittest, selecting for the best fit to available niches. The white daisies, which would reflect more of the sun's heat away from Daisyworld, are selected when the sun becomes too warm and black daisies, which would absorb the sun's heat and keep it in Daisyworld, are selected when the sun is too cool. Through survival of the fittest, Daisyworld maintains temperature homeostasis despite varying heat from the sun. Without any sort of teleology, purpose, or intent, homeostasis emerges in Daisyworld from ordinary evolution.

Other scientists have created much more complex models, which more closely resembled Earth's actual complexity. From these models, they have found that the more complex the system, the more likely the possibilities for homeostasis. The more species there were, the more likely some would adapt to changing circumstances, successfully filling available niches, and create a climate that would maintain life.²²

Scientific theories are judged by the hypotheses they generate and that can be experimentally tested and either confirmed or not. Evolution and anthropogenic global warming are very successful scientific theories that have led to a lot of experimentation that have repeatedly confirmed them. Creationism, or intelligent design, not so much--actually not at all.²³ Like evolution and anthropogenic global warming, the Gaia hypothesis has been quite fruitful. One of the earliest confirmations that life forms on earth regulated climate came when Lovelock and his colleagues discovered that dimethyl sulfide, a chemical produced by ocean algae was involved in the formation of clouds and with climate. For this discovery, Lovelock and his colleagues were awarded the Norbert Gerbier Prize in 1988.²⁴

The Gaia hypothesis has predicted that Mars would be currently lifeless, which is so far confirmed, that oxygen in Earth's atmosphere has not varied by more than 5% from 21% for the past 200 million years, which is confirmed up to 1 million years ago, and that boreal and tropical forest are part of global climate regulation, which is generally accepted, and many other things.²⁵ Controversial at first, Gaia science is making the

²¹ Lynn Margulis, "Gaia by Any Other Name," *Scientists Debate Gaia: The Next Century*, Schneider, Miller, Crist, and Boston eds., (Cambridge: The MIT Press, 2004), pp. 7-12.

²² Arthur C. Petersen, "Models and Geophysical Hypotheses," *Scientists Debate Gaia: The Next Century*, Schneider, Miller, Crist, and Boston eds., (Cambridge: The MIT Press, 2004), pp. 37-44.

²³ Thomas Kuhn, *The Structure of Scientific Revolutions* (Chicago: The University of Chicago Press, 1962).

²⁴ James Lovelock, *The Revenge of Gaia: Earth's Climate Crisis and the Fate of Humanity* (New York: Basic Books, 2006), pp. 23.

²⁵ James Lovelock, *The Vanishing Face of Gaia: A Final Warning* (New York: Basic Books, 2009), Pp. 177-178.

transition from revolutionary science to normal science, as Thomas Kuhn, a philosopher of science, would describe it.²⁶ Though Lovelock prefers to call his discovery Gaia, the ancient Greek name for the earth mother, most scientists prefer “Earth systems science.” They like “Earth systems science” better because it somewhat conceals Lovelock and Margulis’s assertion that the earth, as a whole, is a single living being, while Gaia science or geophysiology do not. Lovelock prefers to call his discovery ‘Gaia’ because it reframes our presence on earth. He believes that we will live differently upon the earth if we treat it as a living being, capable of death, than if we treat it merely as a resource, a pile of rocks over which living species roam.²⁷

The evidence for Earth being self-regulating, like in Daisyworld, is strong because there was only one time, about 2 billion years ago, when the sun was releasing just the right amount of energy for life on Earth, the Goldilocks moment. Before that the sun was too cold, and after that too warm. Nevertheless, Earth was able to sustain life before that and after it, changing the composition of the atmosphere as the sun changed to maintain a functional temperature for life. Curiously, even though the sun has been steadily warming ever since its Goldilocks moment, Earth in its recent past has increasingly, at least until humanity came along, been slipping into ice ages. Over the past 65 million years, the sun’s brightness has increased about 0.4%, which should have resulted in a temperature *increase* of 1 C from its high 50 million years ago. Instead, temperatures have *decreased* 13 C.²⁸ Clearly, changes in the sun’s temperature cannot explain the broad sweep of climate change. The response of a living Earth has to included as well.

Lovelock believes that the recent ice ages are an attempt by Gaia to deal with a steadily warming sun. Over the last couple of million years, the sun has been getting too hot for comfort, and so Gaia has been taking carbon dioxide out of the air, sequestering it deep in the ocean and other places, making it possible for a larger part of the planet to be covered with snow, which reflects more heat back into space. The flickering between recent ice ages, indicate that Gaia is struggling to maintain homeostasis with a warming sun. So when humanity starts adding vast amounts of carbon dioxide into the air, turning up the biosphere’s heat, we are pushing Gaia to the limit of what it can self-regulate. According to Lovelock:

By adding greenhouse gases to the air and by replacing natural ecosystems, like forests, with farmland we are hitting the Earth with a ‘double whammy’. We are interfering with temperature regulation by turning up the heat and then simultaneously removing the natural systems that help to regulate it. What we are now doing is uncannily like the series of foolish actions that led to the Chernobyl nuclear reactor accident. There the engineers turned up the heat

²⁶ Thomas Kuhn, *The Structure of Scientific Revolutions* (Chicago: University of Chicago Press, 1962).

²⁷ James Lovelock, *The Revenge of Gaia: Earth’s Climate Crisis and the Fate of Humanity* (New York: Basic Books, 2006), pp. 187.

²⁸ Temperature changes from a graph (Figure 18) made by James Hansen, *Storms of my Grandchildren*, pp. 153.

after they had disabled the safety systems, and it should have been no surprise that the reactor ran into rapid overheating and caught fire.²⁹

In Gaia science, life is not a passive passenger on our planet, an accident of just the right distance from the sun, and just the right chemical composition of the earth's oceans, land mass, and atmosphere, but an active participant in creating the conditions most favorable to its continued existence. However, lest anyone think that Gaia will let us off the hook for polluting, it should be emphasized that homeostasis is an emergent property of the earth system's evolution, and that it has achieved homeostasis in a variety of different states, from a very cold Earth to a very warm one. We must not presume that we humans are the purpose of Gaia, the fruit of its existence, as some might prefer to believe. James Lovelock once remarked, "Gaia is no doting nanny but has all the sympathy for humanity of a microprocessor in the warhead of an intercontinental nuclear missile."³⁰ Gaia will attempt to stabilize temperatures, keeping the planet hospitable for life, but there is no guarantee that, pushed to its limits, it won't go into a feverish state and eliminate humanity as indifferently as a mammal would a bacteria infection.

Abrupt Climate Change: Both Hansen and Lovelock, and actually, from what I gather, increasingly most other climate scientists as well, agree that the Intergovernmental Panel on Climate Change (IPCC) has understated the danger the planet faces, especially on the possibility of abrupt climate change. Although the IPCC report did warn of the possibility of abrupt climate change, my sense is that the mainstream media and blogs have interpreted the IPCC's 2007 report to mean that a warming world will mean mostly slow transitions--a slowly rising ocean, slowly shrinking icecaps and glaciers, and slowly increasing risk of extreme weather events like droughts and severe storms.

But actually, a warming climate is more like walking across an ice-covered lake that is melting. Though changes seem to be gradual, and though it seems like the ice will continue to hold, things can change abruptly, dramatically, and fatally. While you can reasonably project that the ice is slowly thinning as you walk toward open water, you can also reasonably expect the ice will, at some point, fail catastrophically, and you will fall through. Much as you might like to, you can't project exactly when the ice will fail catastrophically. This uncertainty about when abrupt change will happen certainly doesn't mean that there is no cause for worry as you walk toward open water. Even though chances are your next step won't be the one where the ice fails, at some point, you are going to take a step that does it.

It is likewise with global warming. Changes seem to be happening slowly, barely perceptibly, but assuming that small changes do not increase the risk of catastrophe is a dangerous delusion. At some point, abrupt change will happen, dramatically changing the planet we live on. Climate change modeling, though good at mapping out the relationship between increased carbon dioxide and rising temperature, is not so good at

²⁹ James Lovelock, *The Vanishing Face of Gaia: A Final Warning* (New York: Basic Books, 2009), pp. 45.

³⁰ Lovelock quoted in Dorion Sagan and Jessica Hope Whiteside's, "Gradient Reduction Theory: Thermodynamics and the Purpose of Life," *Scientists Debate Gaia: The Next Century*, Schneider, Miller, Crist, and Boston eds., (Cambridge, The MIT Press, 2004), pp. 179.)

telling you when, exactly, too much is too much, and the climate will change abruptly. Although the models do show the relationship between greenhouse gases and temperature, they do not tell us everything we need to know about climate change.

According to recent reports in paleoclimatology, the study of prehistoric climate, changes in climate do not necessarily happen slowly, as has been long assumed, taking place bit by insignificant bit over many thousands of years, but sometimes dramatically, within a decade, sometimes within a single year. Traditionally, paleoclimatologists had assumed that climate changed slowly, like a mountain weathering away, but that all changed when scientists started examining the ice core record from Greenland in the 1970's, as well as lake sediments in Switzerland and pollen profiles in Denmark and elsewhere in Scandinavia. The Greenland ice cores were particularly valuable because snow had accumulated there continuously for several hundred thousand years, leaving a well-demarcated year-by-year record of the weather. Because the ice crystals had permanently trapped a bit of the ancient atmosphere, scientists were able to analyze the chemical composition of the atmosphere the year the snow fell, as well as get a good idea of global temperatures from oxygen isotopes. What they found astonished them.

According to the analysis of Willi Dansgaard and Chet Langway, Earth's climate suddenly began pulling out of the ice age about 14,700 years ago. Then, after only about 2,000 years, it plunged just as suddenly back toward glacial conditions for a thousand years. And then, abruptly, climate conditions recovered and began a more gradual warming toward the relative stability of the past 10,000 years.³¹ It appeared that Earth's climate was flickering abruptly back and forth between two sharply different but stable climates, glacial and interglacial, kind of like the way an electron will abruptly shift into a higher or lower orbit around a nucleus without going between. Wallace S. Broecker would later argue that the abrupt changes were caused by a shift in an ocean conveyor system that distributed heat over Earth's surface. When the conveyor system stops, an ice age starts, and when it flows, an interglacial age starts.³² Because the ocean conveyor system moves large amounts of water, and can redistribute huge amounts of heat from the tropics to the arctic, abrupt changes in the ocean conveyor system could explain abrupt changes in climate.

Chaos, nonlinear change, and unpredictability: Broecker's analysis poses a challenge to climate models. Climate science's attempts to predict the future are undermined by evidence that climate change has happened abruptly, in a chaotic or nonlinear fashion. If Earth's climate can move from an interglacial age to an ice age to in a matter of years, and huge glaciers can suddenly begin covering most of North America and Europe, where temperate trees once grew, an anthropogenic forcing, like the greenhouse gases our civilization of productivity is disturbing Earth's atmosphere with, could trigger a similar, equally abrupt, climate change. As Broecker wrote, "We play Russian roulette with

³¹ John D. Cox, *Climate Crash: Abrupt Climate Change and What It Means For Our Future* (Washington, D.C.: Joseph Henry Press, 2005), pp. 61.

³² Wallace S. Broecker, *Abrupt Climate Change: Inevitable Surprises* (Washington: National Academy Press, 2002).

climate, hoping that the future will hold no unpleasant surprises. No one knows what lies in the active chamber of the gun, but I am less optimistic about its contents than many.”³³

If abrupt climate change is a possibility, as paleoclimatology is strongly indicating that it is, then climate modeling is going to have a hard time predicting it. According to an international group of scientists, Claus Hammer, Paul Mayewski, David Peel, and Ninze Stuiver, in a special issue of the *Journal of Geophysical Research*, we can expect unpredictable, abrupt, and dramatic change in a warming world:

From the central Greenland ice cores, we now know that the Earth has experienced large, rapid, regional to global climate oscillations through most of the last 110,000 years on a scale that human agricultural activities have not yet faced. . . . The ice-core records tell a clear story: humans have come of age agriculturally and industrially in the most stable climate regime of the last 110,000 years. However, even this relatively stable period is marked by change. Change—large, rapid, and global—is more characteristic of the Earth’s climate than is stasis. Until we understand the operative mechanisms, it will not be possible to understand current change or predict future change.³⁴

The variations in sun spot cycle, changes in the yearly wobbles of the earth, and the changes in Earth’s orbit—all the stuff of classical physics—are as gradual as they are predictable. They can easily be simulated in climate models. Less predictable are the changes that come from the chaotic features of complex systems, which are present in various ways in Earth’s climate. These chaotic features are often analyzed with words that mathematicians have developed to study catastrophic change in dynamic systems—words like, *nonlinear*, *feedback*, *turbulence*, *critical threshold*, and *multiple equilibria*. These terms are used to study stock market crashes, the population dynamics of species extinctions, the dynamics between tectonic plates that cause earthquakes, collapses in deterrence that might lead to nuclear war, and, yes, climatic systems that change abruptly.³⁵

Chaos is present everywhere in the world around us. One example of it is a dripping faucet. Dripping at one rate, the drops are all the same size and precisely spaced. Initially, as the water increases, everything is linear, predictable. Increase the flow just a bit too much, however, and suddenly both the size of the drops and their spacing becomes random—large drops, small drops, short intervals, long intervals. Another is the flow of smoke rising up from a cigarette in an ashtray. In a room without air currents, the smoke will typically rise in a smooth flow straight up, and then, for the slightest cause, suddenly become dispersed, disorganized, and turbulent. Both of these are examples of a nonlinear threshold. Change unfolds in a linear manner up to a point, entirely predictably, then suddenly the dynamic changes. A small change tips the unfolding pattern, a threshold is

³³ Broecker quoted in, John D. Cox, *Climate Crash: Abrupt Climate Change and What it Means for Our Future* (Washington: Joseph Henry Press, 2005), pp. 110.

³⁴ *Climate Crash*, pp 127.

³⁵ James Gleick, *Chaos: Making a New Science* (New York: Penguin Books, 1987).

crossed, small triggers are amplified, and feedbacks proliferate until a new equilibrium is reached. The nonlinear, or chaotic, properties of air and ocean currents have been known to science since the 1960's, when Edward Lorenz, using a primitive computer model of the atmosphere, discovered that very small changes in initial conditions led to major changes in the final results.³⁶ So small were the triggers needed to cause huge differences, it has famously been observed, it was as if the turbulence from a butterfly's wings in Mexico might cause a tornado in Kansas.

It may well be that the abrupt flickering between ice ages and interglacial ages in Earth's recent past were caused by the nonlinear properties of ocean currents.³⁷ If so, predicting how various Earth systems will respond to slowly increasing anthropogenic greenhouse gases may be inherently impossible, as participants at a 2001 workshop at Duke University on nonlinearity in the environment concluded:

"Abrupt climate change is believed to be the result of instabilities, threshold crossings and other types of nonlinear behavior of the global climate system, but neither the physical mechanisms involved nor the nature of the nonlinearities themselves are well understood," wrote Jose A. Rial, of the University of North Carolina's Chapel Hill Wave Propagation Laboratory, and colleagues in the journal *Climate Change* in 2004. Citing examples of nonlinearities, the group was led "to an inevitable conclusion: since the climate system was complex, occasionally chaotic, dominated by abrupt changes and driven by competing feedbacks with largely unknown thresholds, climate prediction is difficult, if not impracticable."³⁸

This does not mean that we can ignore the temperature changes general circulation climate models are projecting. Very much the opposite. What it means is that we are recklessly pulling triggers for abrupt change in a climate system that has been relatively stable for the last 10,000 years, the period in which civilization has developed. We are, in effect, stomping on the tail of a very large, very foul-tempered, fire-breathing dragon that has been peacefully sleeping for a long time. We pretend he will never wake. But, defying his certain temper, we risk much more than what we incautiously presume from his many centuries of slumber.

Climate models are projecting the future based on what we know about the climate. They take all the information that scientists have assembled about the relationship between greenhouse gases and their relation to climate from paleoclimatology, oceanography, astronomy, chemistry, and physics, and whatever else scientists believe relevant, and make them into as accurate model of the real world as science can make. These computer models of the earth's climate are very large and complex. It typically takes a month or more for our most powerful supercomputers to run these simulations. Despite

³⁶ John D. Cox, *Climate Crash: Abrupt Climate Change and What it Means for Our Future* (Washington: Joseph Henry Press, 2005), pp. 147.

³⁷ *Climate Crash*, pp. 148.

³⁸ Rial quoted in *Climate Crash*, pp. 149.

the risk of abrupt change, the projections for climate change that emerge from these models are doing pretty well--so far.

Gavin Schmidt, who develops climate models at the NASA Goddard Institute for Space Studies, recently reviewed climate model projections of the recent past against observed temperatures at RealClimate.org, and found that the models accurately predicted what has so far happened. Compared to the latest data, the models projecting the ocean heat content changes were right on the money. The oldest of the General Circulation Models, developed by James Hansen et al in 1988, is running about 10% higher than expected for Scenario B, but as expected for Scenario C. Schmidt concludes, “. . . despite the fact these are relatively crude metrics against which to judge the models, and there is a substantial degree of unforced variability, the matches to observations are still pretty good, and we are getting to the point where a better winnowing of models dependent on their skill may soon be possible.”³⁹

Scientists have put a lot of effort into developing climate models, and so far, at least for the recent past, they have accurately projected what has happened. But the projections will probably continue to be accurate only as long as climate forcings remain linear. However, once positive feedback loops start amplifying global warming, and once the threshold into nonlinearity is crossed, anything could happen. We might even fall into another ice age, though most scientists believe this unlikely, given the increased amounts of anthropogenic greenhouse gasses in the atmosphere and the dominance of positive feedback loops over negative feedback loops. More likely is an abrupt transition to a much hotter planet, one that could radically challenge the food and water supply for billions of people. David Archer, a professor of geophysical sciences at the University of Chicago, explains it this way:

The IPCC (Intergovernmental Panel on Climate Change) forecast for climate change in the coming century is for a generally smooth increase in temperature, changes in rainfall, sea level, and so forth. However, actual climate changes in the past have tended to be abrupt. The forecast resembles a simple climate response to our smoothly dialing up the (carbon dioxide), while the past looks like a series of flip-flops from one climate state to another within a few years. The forecast is based on climate models, which are for the most part unable to simulate the past climate record very well either. In this light, the forecast is a best-case scenario, because it avoids unexpected surprises.⁴⁰

The reason why the IPCC's forecast for the next century is smooth, without the abrupt changes that we know happened in the past, is because climate models are projections, not predictions. This difference, though subtle, is important. Climate models are thought experiments, where parameters are varied based on what scientists know about the

³⁹Gavin Schmidt, "Updates to model-data comparisons," *RealClimate.org* (December 29, 2009), <http://www.realclimate.org/index.php/archives/2009/12/updates-to-model-data-comparisons/>

⁴⁰David Archer, *The Long Thaw: How Humans are Changing the next 100,000 years of Earth's Climate* (Princeton: Princeton University Press, 2009), pp. 95.

climate. They explain the relationship between carbon dioxide and temperature well, as well as changes in Earth's orbit, wobbles of the Earth's axis, and changes in the Sun's radiation, but they do not handle nonlinear changes well because such changes are unavoidably, and by definition, chaotic, which is to say, too complex, random, and subtle to be fully known. As a result, the triggers for abrupt climate change may be too small to be anticipated by climate models. This is not a fault or failing of modeling science. It is just the way things are. As a controlled thought experiments, climate models help us understand what we are doing to the planet, but they should not be taken as concrete predictions. No matter how much modeling science learns about climate thresholds, it probably will never be predict in advance where they lie, exactly at what point we will face abrupt climate change. Scientists will only be able to say that, based on the record of paleoclimatology as well as what they generally know about the climate system, they know such possibilities exist, hazarding guesses what might trigger them. Surprises, as many scientists have warned, should be expected. Nonlinearity exists throughout nature's economies, and if we are to survive, we must tread very carefully, avoiding the thresholds where, forced out of equilibrium, our climate could abruptly and irreversibly change.

Pushing our luck: There are many potential tipping points we risk pushing past. As anthropogenic greenhouse gasses are released, positive feedback loops could increasingly overwhelm negative feedback loops. One of them is the loss of the Arctic Ocean's snow cover. Snow cover is the most reflective surface on Earth, returning around 80% of the sun's energy to space. Open ocean, on the other hand, is one of Earth's most absorptive surfaces, retaining about 80% of the sun's heat. As a result, as the Arctic ice cover melts away, Earth will retain more and more heat. Loss of the Arctic ice cover will have a huge impact. When all the floating ice in the Arctic has melted, the extra heat retained by Earth will be the equivalent of nearly 70% of all the carbon dioxide pollution we have already released.⁴¹ This is a huge amount, with serious consequences, as James Hansen observes:

The area of Arctic sea ice had been declining faster than models predicted. The end-of-summer sea ice area was 40 percent less in 2007 than in the late 1970s when accurate satellite measurements began. Continued growth of atmospheric carbon dioxide surely will result in an ice-free end-of-summer Arctic within several decades, with detrimental effects on wildlife and indigenous people. . . . The fate of summer sea ice is important. Loss of the ice would affect the stability of the Greenland ice sheet, the stability of methane hydrates in the ocean sediments and tundra, and species viability.⁴²

The more the ice sheet goes, the more the planet will warm, which will set off other positive feedback loops. One of them is the release of carbon dioxide and methane from thawing permafrost soils in Alaska and across Siberia. Since they have not thawed for hundreds of thousands of years, permafrost soils have accumulated huge amounts of

⁴¹ James Lovelock, *The Vanishing Face of Gaia*, pp. 44.

⁴² Hansen, *Storms of my Grandchildren*, pp. 165-166.

organic carbon. Across Alaska and Siberia, deposits of nearly pure organic matter called peats are sequestered in the tundra. (Coal came from ancient peats that were buried and cooked underground for long times.) As temperatures rise and the peats thaw, organic decomposition sets in, and the peats give off carbon dioxide and methane. There is about 2000 gigatons of carbon available in the Arctic tundra, 1000 gigatons of which are likely to be released in coming centuries. This compares with 5000 gigatons of coal available for mining in the world. Arctic tundra feedbacks from anthropogenic carbon releases could increase warming by 15-80%.⁴³

Across the tundra, as warming progresses, the permafrost will also thaw. As it does, the ground will subside, forming sinkholes where water accumulates. The sinkholes will grow into ponds, and the ponds into lakes. The increasingly large bodies of water across the tundra means that, instead of aerobic microbes decomposing the tundra's large amount of accumulated organic matter, anaerobic microbes will be doing it, producing methane, instead of carbon dioxide. Katey Walter Anthony, a research scientist at the University of Alaska Fairbanks Water and Environmental Research Center, was surprised at how much methane accumulates under the ice of these lakes.

Winter comes early, and one October morning when the black ice was barely thick enough to support my weight I walked out onto the shiny surface and exclaimed, "Aha!" It was as if I were looking at the night sky. Brilliant clusters of white bubbles were trapped in the thin black ice, scattered across the surface, in effect showing me a map of the bubbling point sources, or seeps, in the lakebed below. I stabbed an iron spear into one big white pocket and a wind rushed upward. I struck a match, which ignited a flame that shot up five meters high, knocking me backward, burning my face, and singeing my eyebrows. Methane!⁴⁴

Anthony says that enough methane could be released these lakes to significantly change the climate.

Evidence from polar ice-core records and radiocarbon dating of ancient drained lake basins has revealed that 10,000 to 11,000 years ago thermokarst lakes contributed substantially to abrupt climate warming—up to 87 percent of the Northern Hemisphere methane that helped end the Ice Age. This outpouring tells us that under the right conditions, permafrost thaw and methane release can pick up speed, creating a positive feedback loop: Pleistocene-age carbon is released as methane, contributing to atmospheric warming, which triggers more

⁴³ David Archer, *The Long Thaw: How Humans are Changing the next 100,000 years of Earth's Climate* (Princeton: Princeton University Press, 2009), pp. 130.

⁴⁴ Katey Walter Anthony, "Methane: A Menace Surfaces," *Scientific American* (December, 2009), pp. 72.

thawing and more methane release. Now man-made warming threatens to once again trigger large feedbacks.⁴⁵

The Amazon rainforest: As temperatures rise, another positive feedback loop that will kick in is the change of the world's forests, particularly the rain forests, from carbon sinks into major sources of carbon dioxide. Although carbon dioxide does have a fertilizing effect on most plants, at least below certain temperatures, increases in carbon dioxide, quite apart from the harmful effects of high temperatures, could have a very destructive effect on rainforests. The rainforest of the Amazon is easily one of the most amazing ecosystems on Earth. It turns out that the plants of the Amazon rainforest create most of their own rain. It is recycled repeatedly through transpiration from the plants. However, increasing levels of carbon dioxide in the atmosphere are going to disrupt these cycles, as Tim Flannery describes:

Transpiration is vital to rainfall in the Amazonian rain forest, and it turns out that carbon dioxide does odd things to plant transpiration. Plants, of course, generally don't wish to lose their water vapor, as they have gone to some trouble to convey it from their roots to their leaves (stomata). Their main purpose in doing this is to gain carbon dioxide from the atmosphere, and they will keep their stomata open only as long as required. Thus, as carbon dioxide levels increase, the plants of the Amazonian rain forest will keep their stomata closed for longer, and transpiration will be reduced. And with less transpiration, there will be less rain.⁴⁶

According to a climate model developed by Richard Betts and Peter Cox at the Hadley Center in England, called TRIFFID, by 2100, levels of carbon dioxide will be high enough that rainfall in the rainforest will decline by 20% because of closed stomata. In addition, a shift in weather patterns will also decrease rainfall. Because of all these changes, by 2100 rainfall in the Amazonian basin will fall from 0.2 inch per day to 0.08 inch per day. In the northeastern part of the basin, it will fall to almost nothing.⁴⁷ Temperatures will rise by 18 F, rainfall will drop by 64%, the amount of carbon stored in vegetation will fall by 78%, and the amount of carbon stored in the soil will fall by 72%.⁴⁸ As a result, the wonderfully dense forest, which supplies a home to so many different species, will be replaced by a grassy savannah, interrupted by only an occasional tree or shrub. Less dramatic, but more widespread, changes can be expected in forests throughout the world.

⁴⁵ Katey Walter Anthony, "Methane: A Menace Surfaces," *Scientific American* (December, 2009), pp. 73.

⁴⁶ Tim Flannery, *The Weather Makers: How Man is Changing the Climate and What it Means for Life on Earth* (New York: Atlantic Monthly Press, 2005), pp 197.

⁴⁷ R.A. Betts et al., "The Role of Ecosystem-Atmospheric Interactions in Simulated Amazonian Precipitation Decrease and Forest Dieback under Global Climate Warming," *Theoretical Applied Climatology*, 78 (2004), pp. 157-75.

⁴⁸ P.M. Cox et al., "Amazonian forest Dieback under Climate-Carbon Cycle Projections for the Twenty-first Century," *Theoretical Applied Climatology*, 78 (2004), pp. 137-56.

Possible failure of homeostasis: According to James Lovelock, the ocean's ecosystems will face a similar collapse as temperatures rise. Ocean algae, it turns out, is quite sensitive to temperature increases, dying off when temperatures get too high for it. According to an article written by Jeffrey Polovina published in *Geophysical Research Letters* in 2008, satellite observations of the ocean show that it is already happening. Areas barren of algae growth has increased by 15% in the last 9 years. According to Lovelock, this is ominous because algae growth is a major mechanism for pumping carbon dioxide out of the atmosphere and sequestering it on the ocean floor.⁴⁹ Under business as usual, algae could suffer a population crash in the not so distant future.

In 1994, Lovelock and Lee Kump made a geophysical model of the impact of global warming on ocean algae and land plants. In Lovelock's model, as both carbon dioxide levels and temperatures increased, plant and algae growth acted to maintain stable temperatures, taking carbon dioxide out of the atmosphere in the same proportion they do in the real world. With increased anthropogenic carbon dioxide, temperature remained stable at first, only slowly increasing because algae and plants were giving negative feedback. However, as carbon dioxide increased to 400 ppm--an amount our atmosphere, currently at 387 ppm, is perilously approaching--the system showed signs of instability. Temperatures fluctuated more, rising and falling in waves that grew more extreme, as the plants and algae struggled to maintain homeostasis. Then abruptly, somewhere between 400 ppm and 500 ppm, a small increase was too much, and the algae and plant populations collapsed, causing a sudden nine-degree C increase in temperature. After that, Earth's temperature stabilized at the abruptly higher temperature.

Lovelock tried removing all of the added carbon dioxide from the model after it stabilized in the hot state, modeling what humanity might attempt to do with geo-engineering. Even when he reduced it to 280 ppm, the model stayed in its hot state. The plants and algae were unable to reestablish previous homeostasis. Lovelock concludes that Earth might have three different stable climate systems--ice age, our current interglacial, and the hot state his model ended up in.⁵⁰ The warning from Lovelock's model is clear: Once we make the transition to a hot state, we will not be able to go back. We will be stuck in the world we created. (As an aside, Lovelock wants us to note that just before the model went nonlinear and moved into the hot state, it went through a cool phase where temperatures fell. So, we should not be reassured by apparent improvements in temperature when the underlying basis for maintaining homeostasis is being weakened.)

The methane hydrate gun: Methane hydrate deposits on the ocean floor and in the Arctic tundra are an even more troubling possibility for initiating a positive feedback loop that would greatly amplify the effect of anthropogenic greenhouse gases. At least 20 times more powerful as a greenhouse gas than carbon dioxide, methane is a greenhouse gas that is generated when organic material undergoes anaerobic decay. Methane hydrates are created when organic carbon, mostly from plankton, falls to the bottom of the ocean. Lying there for millions of years, it is covered by hundreds of feet of mud, and it slowly ferments, producing methane. The methane is trapped by accumulating mud, the cold

⁴⁹ Lovelock, *The Vanishing Face of Gaia*, pp. 44.

⁵⁰ Lovelock, *The vanishing Face of Gaia*, pp. 52.

temperature of the ocean floor, and the pressure of the ocean above it. Even though it has been accumulating for million of years, methane hydrate is precariously maintained on the ocean floor. It would float to the surface, like ice, if it were not buried in mud. Landslides, earthquakes, and warming oceans can all release it. Of most concern to us, methane hydrate melts if it gets too warm, releasing the methane from its icy structure. Once freed, it will bubble up to the surface of the ocean and mix with atmosphere, where it will have a greenhouse gas effect 20 to 30 times greater than carbon dioxide. After about a decade in the atmosphere, though, it will mostly degrade to carbon dioxide.

There is, unfortunately, an awful lot of methane hydrate on the ocean floor, thousands of gigatons of it. There is as much carbon in ocean floor hydrates as in all the rest of traditional fossil fuel deposits. These hydrate deposits have enormous potential to amplify global warming, as David Archer explains:

If just 10% of the methane in the hydrates were to reach the atmosphere within a few years, it would be the equivalent of increasing the carbon dioxide concentration of the atmosphere by a factor of 10, an unimaginable climate shock. The methane hydrate reservoir has the potential to warm Earth's climate to Eocene hothouse conditions, within just a few years. The potential for planetary devastation posed by the methane hydrate reservoir therefore seems comparable to the destructive potential from nuclear winter or from a comet or asteroid impact.⁵¹

Since the hydrates are buried deep in the ocean, under hundreds of meters of mud, and since the depths of the ocean do not mix much with the surface, keeping the ocean depths icy cold, scientists say that it would take a lot of warming for any significant portion of methane hydrate to be released. But, as we saw, estimates of global warming have been rising sharply, and once methane hydrates begin warming the climate, the process would feed on itself. The process could begin in the Arctic, where the water is cold enough for methane hydrates to accumulate in water depths of only 200 meters deep. The Arctic Ocean is warming faster than anywhere else is because of the disappearing sea ice, and methane hydrate deposits there are already showing signs of instability.

James Hansen believes that to keep the methane hydrates safely in place we must not allow carbon dioxide levels to exceed 350 ppm, down considerably from 450 ppm, which he had recommended earlier.

Paleoclimate evidence and ongoing global changes imply that today's CO₂, about 385 ppm, is already too high to maintain the climate to which humanity, wildlife, and the rest of the biosphere are adapted. Realization that we must reduce the current CO₂ amount has a bright side: effects that had begun to seem

⁵¹ David Archer, *The Long Thaw: How Humans are Changing the next 100,000 years of Earth's Climate* (Princeton: Princeton University Press, 2009), pp. 131-132.

inevitable, including impacts of ocean acidification, loss of fresh water supplies, and shifting of climatic zones, may be averted by the necessity of finding an energy course beyond fossil fuels sooner than would otherwise have occurred. We suggest an initial objective of reducing atmospheric CO₂ to 350 ppm, with the target to be adjusted as scientific understanding and empirical evidence of climate effects accumulate. Limited opportunities for reduction of non-CO₂ human-caused forcings are important to pursue but do not alter the initial 350 ppm CO₂ target. This target must be pursued on a timescale of decades, as paleoclimate and ongoing changes, and the ocean response time, suggest that it would be foolhardy to allow CO₂ to stay in the dangerous zone for centuries.⁵²

We need to keep carbon dioxide levels below 350 ppm to keep Arctic ice cover intact, Hansen argues, otherwise positive feedback loops start engaging, leading to a rapidly warming world.

To put this in perspective, Hansen observes that during the Cenozoic, when temperatures were 14 C higher than they are now, and neither pole had ice cover, carbon dioxide levels were 1,400 ppm. Because of weathering, a process that uses exposed rock formations to take carbon dioxide out of the atmosphere and deposit them on the ocean floor as carbonates, carbon dioxide decreased a few ten thousandths of 1 ppm a year. About 34 million years ago, when carbon dioxide levels declined to 450 ppm, the Antarctic ice cap began forming. So we can conclude from that, that carbon dioxide levels below 450 ppm are needed to keep the Antarctic ice cap.

A striking conclusion from this analysis is the value of carbon dioxide—only 450 ppm, with an estimated uncertainty of 100 ppm—at which the transition occurs from no large ice sheet to a glaciated Antarctica. This has a clear, strong implication for what constitutes a dangerous level of atmospheric carbon dioxide. If humanity burns most of the fossil fuels, doubling or tripling the preindustrial carbon dioxide level, Earth will surely head toward the ice-free condition, with sea level 75 meters (250) feet higher than today. It is difficult to say how long it will take for the melting to be complete, but once ice sheet disintegration gets well under way, it will be impossible to stop.⁵³

About a billion people now live along ocean shores at elevations less than 25 meters, according to Hansen, including many of the world's major cities, like New York. It may take centuries, but eventually, if we continue business as usual, the areas these people live in will be taken by the sea.

⁵² James Hansen, Makiko Sato, Pushker Kharecha, David Beerling, et al., "Target Atmospheric CO₂: Where Should Humanity Aim?" *Open Atmospheric Science Journal*, (February, 2008), pp. 217-31, <http://www.bentham.org/open/toascj/openaccess2.htm>.

⁵³ James Hansen, *Storms of my Grandchildren*, pp. 160.

A bigger worry, though, for Hansen, is what rising temperatures would do to the methane hydrates in the ocean. To get some idea of what could happen, Hansen looks back 55 million years, to what he calls the Paleocene-Eocene thermal maximum (PETM), an abrupt peak of rapid warming, about 5 degrees Celsius, that Hansen believes was caused by methane hydrate deposits on the ocean floor being released into the atmosphere. On the graphs, the PETM looks like an explosion of temperature and light carbon, an isotope of carbon that can only be explained by a sudden release of methane hydrate. The amount is huge--approximately 3,000 gigatons of carbon, about as much as all of today's available oil, gas, and coal reserves. If the irruption of methane hydrates had an external cause, such as an asteroid crashing into the Earth, or massive lava flows under the ocean, we would have little to worry about because the chances of reoccurrence are low. If, however, the release was caused by feedbacks from global warming, caused perhaps by shifts in Earth's orbit, then we have a lot to worry about because that would mean that anthropogenic global warming could start the process.

Unfortunately, available evidence suggests that the PETM release, and subsequent similar releases, were triggered by warming when the orbit of the earth shifted. So, warming can trigger an abrupt release of methane hydrates.

If Earth's methane hydrate inventory is suddenly discharged, as during the PETM event, it requires several million years to fully reload the planet's methane hydrate gun. Thus, the next light-carbon methane hydrate event in the Paleocene, about 2 million years after the PETM, was only about half the strength of the PETM. This half-PETM was followed by still weaker and more frequent light carbon warming spikes. These events occurred in conjunction with astronomical warming peaks during the time Earth was on its track toward peak warmth 50 million years ago, which suggests that the warmer Earth made the melting hydrates easier and did not allow the hydrate reservoir to return to pre-PETM size.⁵⁴

The really bad news for us is that, after a long series of ice ages, none of which were interrupted by interglacial periods warm enough to discharge the hydrates, the PETM gun is now fully charged, probably more so than it has ever been. If it went off, it would cause a drastic change in climate, one that might make much of the Earth uninhabitable for humans, or possibly initiate the Venus syndrome, and make the Earth uninhabitable for most, if not all, life. Most scientists believe that it would take considerable warming, perhaps a century or two of business as usual carbon emissions, to trigger the PETM gun. But no one knows for sure. The key to whether a massive methane hydrate release is triggered in the short term, with a little warming, or in the long term, after a lot, probably depends on what happens with ocean circulation.

As we saw, the ocean's conveyor system, which moves huge amounts of heat from the tropics to the Arctic, can abruptly change, triggering abrupt climate change. If the

⁵⁴ James Hansen, *Storms of my Grandchildren*, pp. 163.

current shifted, and warm water started flowing over methane hydrate deposits that had previously been kept safely cold, the current change could trigger a positive feedback loop that could progressively release large amounts of methane to the atmosphere. Hansen observes that this appears to have happened in the past.

Comparisons of the timing of carbon and temperature changes at many ocean sites show that a dramatic change in ocean circulation occurred at the time of the rapid PETM increases of light carbon and temperature. The ocean circulation change indicates that the main location where dense surface water sank toward the ocean bottom shifted from the region around Antarctica to the middle latitudes in the northern hemisphere. Sinking water at the new location was also dense, but warmer and saltier. It is likely that this warmer water instigated the melting of methane hydrates. The methane, and carbon dioxide that formed as methane oxidized, provided an amplifying feedback that resulted in the large PETM spike in global temperature.⁵⁵

We are still a long way from knowing how much warming would trigger an explosive release from the methane hydrate gun on the ocean floor, but we do know that it can go off as a result of warming. It has in the past. And we know that we are releasing large amounts of greenhouse gasses that we have every reason to believe could trigger even more warming from other positive feedback loops.

This is why James Hansen is saying that we must keep the carbon dioxide in Earth's atmosphere below 350 ppm. That will keep both the Arctic and the Antarctic ice caps in place, preventing the positive feedback loops that could trigger, at some point, the methane hydrate gun. As we approach 390, the Arctic ice cover is already disappearing in the summer, and we are very near the point at which James Lovelock says the ocean's algae will start crashing. We risk the fate of the earth all humanity unless we quickly return to 350 ppm.

I have often wondered what kind of god would put a forbidden fruit in the middle of the Garden of Eden. He might have made paradise in so many other ways, but he made it with a deadly fruit and a wily serpent to tempt Adam and Eve. Similarly, we might wonder what kind of god would create an Earth like ours, a tragedy awaiting us even before we evolved. Our forbidden fruit is the carbon-based fuels, which have made our lives a technological wonder. Using them, we risk being expelled forever from the ecological paradise the Earth truly is. We might challenge a god who made the world this way, doubting his goodness for leaving us a trap like this, but that will get us nowhere. We must accept our reality and resist the temptation to eat of the forbidden fruit of carbon-based fuel.

⁵⁵ James Hansen, *Storms of my Grandchildren*, pp. 163.

Denying Reality

Despite what thousands of climate scientists working worldwide have observed in innumerable peer reviewed articles in professional journals, despite the statements by professional organizations involved in climate studies acknowledging the reality of anthropogenic global warming, despite what government reports from many different countries have found, and despite what the Intergovernmental Panel on Climate Change has conclude of all this put together, not everyone believes that anthropogenic climate change is happening. They are like the snake in the Garden of Eden, tempting us with subtle lies to eat the forbidden fruit. Richard Lindzen, a professor at MIT who is a leading denier, has contemptuously dismissed his peers, "(They're) mainly just like little kids locking themselves in dark closets to see how much they can scare each other and themselves."⁵⁶ Deniers say that their differences with the scientific consensus indicate that there is real doubt about the impact of anthropogenic greenhouse gasses on the climate, and they insist that the scientific consensus is manufactured, a result of a conspiracy among leading climate scientists to suppress dissent, as Richard Lindzen, complained in a guest editorial in the *Wall Street Journal*. "Scientists who dissent from the alarmism have seen their grant funds disappear, their work derided, and themselves libeled as industry stooges, scientific hacks or worse. Consequently, lies about climate change gain credence even when they fly in the face of the science that supposedly is their basis."⁵⁷

Lindzen is probably the denier other scientists most respect. Needing someone respectable, he was the scientist the Bush Administration used to justify inaction on climate change, as James Hansen observed, "...U.S. policies regarding carbon dioxide during the Bush-Cheney administration seem to have been based on, or at a minimum, congruent with Lindzen's perspective."⁵⁸ Shortly after the Bush administration was first elected to office, and had decided not to endorse the Kyoto treaty, which would have limited U.S. greenhouse gas emissions, Hansen and two other government scientists briefed Dick Cheney and other top members of the Bush administration on March 29, 2001. Since the invitation itself indicated a willingness to listen, Hansen was initially optimistic that the Bush administration would respond to science, and fulfill Bush's pledge while he was running for president to stem climate change. However, at the end of the scientists' presentations, Dick Cheney decided that the administration also needed to listen to a denier. He invited Hansen back to brief the administration some more, but to make sure that the "other" perspective was balanced against Hansen's, the administration also invited Richard Lindzen.

⁵⁶ "Could Global Warming Kill Us?" *Larry King Live*, (January 31, 2007).

<http://transcripts.cnn.com/TRANSCRIPTS/0701/31/lk.01.html>.

⁵⁷ Richard Lindzen, "Climate of Fear: Global-warming alarmists intimidate dissenting scientists into silence," *Wall Street Journal* (April 12, 2006).

⁵⁸ James Hansen, *Storms of My Grandchildren*, pp. 53-54.

Unlike other deniers claiming scientific expertise, Lindzen is able to get his papers contesting climate change into peer-reviewed journals.⁵⁹ More commonly, however, he writes guest editorials for the *Wall Street Journal* and *Newsweek*, and articles in *Energy and Environment*, an oil and coal industry journal frequented by deniers that is not peer reviewed.⁶⁰ Most recently, he, along with Y.S. Choi, published a paper in *Geophysical Research Letters*, a peer reviewed journal, which supposedly disproves the entire global warming theory by demonstrating a negative feedback loop involving clouds powerful enough to counteract all anthropogenic carbon dioxide releases.⁶¹ Although most climate scientists greeted his paper with skepticism, and then quickly found serious flaws in it, some (reluctantly) said it was worth publishing to discuss a possible negative feedback loop. Gavin Schmidt, a regular contributor to *RealClimate.org*, damned Lindzen's paper with faint praise, saying, "First off, (it) was not a nonsense paper – that is, it didn't have completely obvious flaws that should have been caught by peer review (unlike say, McLean et al, 2009 or Douglass et al, 2008)."⁶² However, other scientists were less kind, and insisted that it did have flaws that should have been identified in peer review, as Chris O'Dell argued on *RealClimate.org*.

Very simple attempts to reproduce the LC09 (Lindzen and Choi's) numbers simply didn't work out and revealed some flaws in their process... After some further checking, I came across a paper very similar to LC09 (Lindzen's paper) but written 3 years earlier – Forster & Gregory (2006), hereafter FG06. FG06, however, came to essentially opposite conclusions from LC09, namely that the data implied an overall positive feedback to the earth's climate system, though the results were somewhat uncertain for various reasons as described in the paper (they attempted a proper error analysis). The big question of course was, how is it that LC09 did not even bother to reference FG06, let alone explain the major differences in their results? Maybe Lindzen & Choi didn't know about the existence of FG06, but certainly at least one reviewer should have. And if they also didn't, well then, a very poor choice of reviewers was made.⁶³

⁵⁹ See for example, R.S Lindzen and R.M. Goody, "On the asymmetric diurnal tide," *Pure & Applied Geophysics* (1965) 62, 142–147.

R.S. Lindzen and R.M. Goody, "Radiative and photochemical processes in mesospheric dynamics: Part I. Models for radiative and photochemical processes," *Journal of Atmospheric Science*, (1965), 22, pp. 341–348.

R.S. Lindzen, "The radiative-photochemical response of the mesosphere to fluctuations in radiation," *Journal of Atmospheric Science*, (1965), 22, pp. 469–478.

⁶⁰ For a critique of Lindzen's guest editorial in *Newsweek*, see, Gavin Schmidt and Michael Mann, "Lindzen in *Newsweek*," *RealClimate.org* (April 17, 2007). <http://www.realclimate.org/index.php/archives/2007/04/lindzen-in-newsweek/>

⁶¹ R.S. Lindzen and Y.S. Choi, "On the determination of climate feedbacks from ERBE data," *Geophysical Research Letters* (2009) 36, L16705, doi: 10.1029/2009GL039628.

⁶² Gavin Schmidt, "First published response to Lindzen and Choi," *RealClimate.org* (January 9, 2010) <http://www.realclimate.org/index.php/archives/2010/01/first-published-response-to-lindzen-and-choi/>

⁶³ Chris O'Dell, "L&C, GRL, comments on peer review and peer-reviewed comments," *RealClimate.org* (Jan. 10, 2010). <http://www.realclimate.org/index.php/archives/2010/01/lc-grl-comments-on-peer-review-and-peer-reviewed-comments/>

Lindzen claims to know the climate better than other scientists do, and is right about it when all of them are wrong, yet he ignores another paper that directly contradicted his own, without explaining why it was in error. Andrew Revkin, on the New York Times' blog, DotEarth, reported that he asked a critic of Lindzen's, Kevin Trenberth, to check Lindzen's math. It turned out that once Trenberth did the math correctly, Lindzen's own model showed substantial warming from carbon dioxide.

... (Dr. Trenberth) said that, if done correctly, the Lindzen-Choi analysis would have produced a 1.5 degree Fahrenheit warming instead of the 0.9 degree warming the paper initially contained. But rectifying an additional flaw — the paper's selection of sea temperatures in a way that did not appear to be objective — produces a warming of 4.1 degrees, a level at the heart of what most climate simulations and other studies project.⁶⁴

The stolen emails: Despite their problems publishing solid research papers, deniers insist that the vast majority of scientists who believe in anthropogenic global warming are being duped by a conspiracy of elite scientists who control what is published. Deniers have been making much of some emails recently stolen from climate scientists at the University of East Anglia in Norwich, England in November 2009. They say these emails prove scientific corruption among leading advocates of anthropogenic global warming. In a *Wall Street Journal* guest editorial, another denier, Patrick Michaels, formerly a professor of environmental sciences at the University of Virginia (1980-2007), currently a senior fellow at the Cato Institute, says that these stolen emails are proof of bias.

But there's something much, much worse going on—a silencing of climate scientists, akin to filtering what goes in the bible, that will have consequences for public policy, including the Environmental Protection Agency's (EPA) recent categorization of carbon dioxide as a "pollutant."

The bible I'm referring to, of course, is the refereed scientific literature. It's our canon, and it's all we have really had to go on in climate science (until the Internet has so rudely interrupted). When scientists make putative compendia of that literature, such as is done by the U.N. climate change panel every six years, the writers assume that the peer-reviewed literature is a true and unbiased sample of the state of climate science.

⁶⁴Andrew Revkin, "A Rebuttal to a Cool Climate Paper," *DotEarth* (Jan. 8, 2010).
<http://dotearth.blogs.nytimes.com/2010/01/08/a-rebuttal-to-a-cool-climate-paper/?src=tw&tw=dotearth>

That can no longer be the case. The alliance of scientists at East Anglia, Penn State, and the University Corporation for Atmospheric Research (in Boulder, Colo.) has done its best to bias it.⁶⁵

Like other deniers, Michaels believes that thousands of emails stolen from a computer at East Anglia University in England and published on the Internet prove that the scientific consensus on anthropogenic climate change is false, forced, and fraudulent. He says that deniers are victims of a vast conspiracy to keep them silent, to deny the world the truth about actual human impact on the environment. He thinks that the emails show the scientists conspiring to withhold data and computer codes from critics,⁶⁶ interfering in the peer-review process,⁶⁷ deleting emails and raw data to thwart Freedom of Information Requests,⁶⁸ and manipulating data to make the argument for anthropogenic climate change appear stronger than it is.

On the other hand, other, less conspiratorially inclined, people who have read the emails have found that the stolen emails prove nothing of the sort. The Associated Press, for instance, conducted a thorough review of the emails, using five reporters to read and reread the documents, about 1 million words in total. They sent summaries of the emails to seven experts in research ethics, climate science, and science policy. The reporters were told that the emails were much ado about nothing. "This is normal science politics, but on the extreme end, though still within bounds," Dan Sarewitz, a science policy professor at Arizona State University, told the reporters. "We talk about science as this pure ideal and the scientific method as if it is something out of a cookbook, but research is a social and human activity full of all the failings of society and humans, and this reality gets totally magnified by the high political stakes here."

The reporters also sent the controversial emails to three climate scientists viewed as moderates in the field, and none of them said that the emails changed their mind that global warming was anthropogenic and a threat. "My overall interpretation of the scientific basis for (man-made) global warming is unaltered by the contents of these e-mails," Gabriel Vecchi, a National Oceanic and Atmospheric Administration scientist, told them. The reporters also consulted Gerald North, a climate scientist at Texas A&M University, who headed a National Academy of Sciences study that looked at—and upheld as valid—Mann's earlier studies that found the 1990s were the hottest years in

⁶⁵ Patrick J Michaels, "How to Manufacture a Climate Consensus: The East Anglia emails are just the tip of the iceberg. I should know." *The Wall Street Journal* (Dec. 17, 2009) http://www.montanaco-ops.com/index.php?mact=News,cntnt01_detail,0&cntnt01_articleid=51&cntnt01_origid=74&cntnt01_returnid=74

⁶⁶ "Climate skeptics claim leaked emails are evidence of collusion among scientists," *The Guardian* (November 24, 2009) <http://www.guardian.co.uk/environment/2009/nov/20/climate-sceptics-hackers-leaked-emails>.

⁶⁷ Johnson, Keith "Climate Emails Stoke Debate: Scientists' Leaked Correspondence Illustrates Bitter Feud over Global Warming," *The Wall Street Journal* (November 23, 2009). <http://online.wsj.com/article/SB125883405294859215.html>

⁶⁸ Moore, Matthew, "Climate change scientists face calls for public inquiry over data manipulation claims," *The Daily Telegraph* (November 24, 2009)

centuries. He told the reporters, "In my opinion the meaning is much more innocent than might be perceived by others taken out of context. Much of this is overblown."⁶⁹

The Intergovernmental Panel on Climate Change's chair, Rajendra Pachauri, described the East Anglia's Climate Research Unit scientists "as highly reputed professionals, whose contributions over the years to scientific knowledge are unquestionable" and described their datasets as "totally consistent with those from other institutions, on the basis of which far-reaching and meaningful conclusions were reached in the [2007 report]."⁷⁰

Other relevant institutions have issued statements saying that the emails change nothing. The American Meteorological Society stated, "For climate change research, the body of research in the literature is very large and the dependence on any one set of research results to the comprehensive understanding of the climate system is very, very small. Even if some of the charges of improper behavior in this particular case turn out to be true — which is not yet clearly the case — the impact on the science of climate change would be very limited."⁷¹

Malicious misreading: Most of the charges the deniers make against the scientists involved are taken out of context, wildly exaggerated, and maliciously misread. For instance, much was made of an email by Phil Jones, where he referred to a "trick" to "hide the decline" in tree ring proxy data for temperature since the 1960's. Deniers take this to mean that the scientists were pulling a fast one, tricking the public into believing something that wasn't true, but they conveniently ignored the fact that scientists commonly use the word 'trick' to mean "a solution." I, myself, have heard scientists use language like this. Back in the 70's, when I was a student at Montana State in Bozeman, I remember a statistics professor explaining to our class how scientists commonly call a solution a trick. So, either the people who say the scientists were tricking the public don't know much about the terms scientists use or they are maliciously misreading the email.

The deniers also ignored the fact, widely accepted by scientists, that tree ring data quit working as a temperature proxy in the 60's, otherwise known as the divergence problem. The effects of industrial pollution, which was increasingly exposing trees to all sorts of new toxins and chemicals in the 60's, has probably compromised the tree ring data. Industrial pollution contains not only carbon dioxide, which has a fertilizing effect on trees, but also nitrates from the increasing use of fertilizer worldwide and from smog, which also would also have a fertilizing effect. Herbicides, chemicals that disrupted plant growth in small quantities, started being used a lot during the 60's. They were also evaporating from fields and being distributed worldwide through the atmosphere. Whatever the cause of the divergence, scientists agreed that tree ring data was not useful

⁶⁹ Seth Bornstein, Malcolm Ritter, Raphael Satter, "Climategate: Science Not Faked, But Not Pretty". Associated Press (Dec. 3, 2009) http://www.usnews.com/articles/news/energy/2009/12/12/climategate-science-not-faked-but-not-pretty_print.htm.

⁷⁰ "Climate change has no time for delay or denial," *The Guardian* (Jan. 4, 2010),

<http://www.guardian.co.uk/environment/cif-green/2010/jan/04/climate-change-delay-denial>

⁷¹ "Impact of CRU Hacking on the AMS Statement on Climate Change," American Meteorological Society (November 25, 2009). <http://www.webcitation.org/5lnFDGhdZ>.

as a temperature proxy from the 60's forward. In the emails, the scientists decided that they would "hide the decline" in the tree ring proxy data that was no longer accurate behind real temperature measurements so that the public would not get a false impression from useless proxy data. In other words, the "trick" the scientists were pulling, the "conspiracy" they engaged in, was to not let the public be misled by inaccurate data.⁷²

Similarly, deniers made a lot of an email written by Kevin Trenberth, a climatologist at the National Center for Atmospheric Research, where he wrote, "The fact is that we can't account for the lack of warming at the moment and it is a travesty that we can't."⁷³ By itself, this statement would seem to indicate that Trenberth was admitting that global warming wasn't real. But, in context, that was not anything like what Trenberth was intending. Actually, Trenberth was bitterly complaining about being underfunded. He believed that anthropogenic climate change was real, a looming danger, which was why he believed scientists desperately needed more research tools to monitor short-term variability. If they were going to be able to do any kind geo-engineering to limit the damage, they needed to be able to explain short-term variability to measure the impact of geo-engineering. The "travesty" was that scientists did not have good enough equipment to make the complex temperature measurements needed to explain daily fluctuations--where energy was going, how clouds were being affected, and so on. This was not, by any means, an opinion he kept secret. He complained loudly and often about failing to do what was needed to stop climate change.

In a statement on his NCAR webpage Trenberth states that,

It is amazing to see this particular quote lambasted so often. It stems from a paper I published this year bemoaning our inability to effectively monitor the energy flows associated with short-term climate variability. It is quite clear from the paper that I was not questioning the link between anthropogenic greenhouse gas emissions and warming, or even suggesting that recent temperatures are unusual in the context of short-term natural variability.⁷⁴

Using other emails, deniers accused Michael Mann, the Penn State University Professor who was the author of many of the stolen emails, of organizing a conspiracy to punish *Climate Research*, for publishing a paper by two deniers, Willie Soon and Sallie L. Baliunas. Their paper reviewed 240 previously published papers and argued that the 20th century was neither particularly warm, nor a unique period in the last thousand years.⁷⁵

⁷² "CRU update 2," University of East Anglia (Nov. 24, 2009)
<http://www.uea.ac.uk/mac/comm/media/press/2009/nov/CRUupdate>

⁷³ Andrew Revkin, "Hacked E-mail is New Fodder for Climate Dispute," *New York Times* (Nov. 20, 2009).

⁷⁴ Trenberth, NCAR webpage, <http://www.cgd.ucar.edu/cas/Trenberth/statement.html>

⁷⁵ Willie Soon and Sallie Baliunas, "Proxy climatic and environmental changes of the past 1000 years," *Climate Research*, 23 (2009), pp. 89-110. <http://www.marshall.org/pdf/materials/136.pdf>

Sharply contrarian, the paper provoked 13 authors of papers cited by Soon and Baliunas to argue that they had been misinterpreted and that the paper was seriously flawed.⁷⁶

According to these scientists, Soon and Baliunas used moisture data when they should have used temperature data; they didn't distinguish between regional and hemispheric temperature anomalies; and they used proxy evidence not capable of indicating trends. Tim Barnett of the Scripps Institution of Oceanography commented that, "the fact that [the paper] has received any attention at all is a result, again in my view, of its utility to those groups who want the global warming issue to just go away." Malcolm K. Hughes of the University of Arizona, whose work was also discussed in the paper, called it "so fundamentally misconceived and contain[ing] so many egregious errors that it would take weeks to list and explain them all."⁷⁷ Worse than that, when two other scientists, Osborn and Briffa, tried to duplicate their calculations, the math didn't even add up.

The financial interests of Soon and Baliunas were problematic too. The American Petroleum Institute, which would not likely be indifferent to the outcome, paid Soon and Baliunas \$53,000 for the study. They were also paid consultants of the Marshall Institute, a conservative think tank, which opposes limits on carbon dioxide emissions.⁷⁸

Dismayed that such a flawed article could get through peer review, suspecting that the editor, Chris De Freitas, had compromised the peer review process and sent the paper to biased reviewers, Michael Mann emailed a colleague, "I think we have to stop considering *Climate Research* as a legitimate peer-reviewed journal. Perhaps we should encourage our colleagues in the climate research community to no longer submit to, or cite papers in, this journal."⁷⁹ Deniers seized upon this email to argue that Mann was leading a conspiracy to suppress the truth about how anthropogenic climate change was actually a hoax. A fair interpretation is that Michael Mann was actually attempting to prevent oil and coal interests from compromising the peer review process.

Other climate scientists agreed with him. The chief editor of *Climate Research*, Hans von Storch attempted to make reforms in the journal's peer review process, but other editors at the journal refused. Deciding that the integrity of the journal had been compromised, von Storch resigned, saying that deniers "had identified *Climate Research* as a journal where some editors were not as rigorous in the review process as is otherwise common."⁸⁰ Eventually, half of the journal's editorial board resigned with von Storch.⁸¹

⁷⁶ Press Release, "Leading Climate Scientists Reaffirm View that Late 20th Century was unusual and Resulted from Human Activity," *American Geophysical Union* (July 7, 2003).

http://www.agu.org/news/press/pr_archives/2003/pr10319.html

⁷⁷ David Appell and Katy Human, ed., *Critical Perspectives on World Climate* (The Rosen Publishing Group, 2006) pp. 17. ISBN 9781404206885.

⁷⁸ Irene Sanchez, "Warming study draws fire," *The Harvard Crimson*, (Nov. 13, 2005). <http://www.thecrimson.com/article.aspx?ref=348723>. Retrieved 2009-05-30

⁷⁹ "Lawmakers Probe Climate Emails", *Wall Street Journal*, November 24, 2009. <http://online.wsj.com/article/SB125902685372961609.html>

⁸⁰ Chris Mooney, "Some Like It Hot," *Mother Jones* (May/June, 2005) <http://www.motherjones.com/environment/2005/05/some-it-hot>.

⁸¹ Clare Goodess, "Stormy Times for Climate Research," *Scientists for Global Responsibility Newsletter*, (November 28, 2003). http://www.sgr.org.uk/climate/StormyTimes_NL28.htm

What Michael Mann did, and what the editors who resigned did as well, is important and valuable. To be a part of the scientific community means using evidence and reasoned argument in ways that the community of scientists find acceptable. When corporate interests and ideological fervor compromise the integrity of the peer review process, infiltrating peer reviewed journals with corporate money and biased interest, responsible scientists have to step up and defend science. Deniers have vilified Michael Mann and his colleagues, but once the stolen emails are put in the context of science under corporate siege, as they truly are, there is little the scientists need apologize for. As slippery as the snake in the Garden of Eden, Deniers are tempting us to eat of the forbidden fruit.

A corporate consultant's financial interest in denial: Deniers, like Patrick Michaels above, argue that the emails show the scientists attempting to silence dissidents, destroy data, and refuse to turn over computer code. Deniers would have it that they are defending the integrity of science and the scientists are corrupting it. However, before these charges are taken seriously, the financial interests of the deniers must be examined. Michaels, who is in many ways typical of the deniers, is the founder and sole owner of New Hope Environmental Services, which describes itself on its website as "an advocacy science consulting firm."⁸² In an affidavit in a Vermont court case, Michaels described the "mission" of the firm as to "publicize findings on climate change and scientific and social perspectives that may not otherwise appear in the popular literature or media. This entails both response research and public commentary."⁸³

Both before he founded his public relations firm and since, Michaels has received substantial amounts of money from oil and coal companies. From 1991 to 1995, Michaels received more than \$115,000 from coal and energy interests.⁸⁴ After he founded New Hope Environmental Services, it became possible for him to advocate for his clients without saying who they were or how much they were paying him, but some reports still got out. In 2006, a furor erupted when it was discovered that Intermountain Rural Electric Association, which uses coal to fire its generators, paid Michaels \$100,000 to help confuse the issue of global warming.⁸⁵

The sources of Michael's funding again became controversial when Greenpeace filed a motion in a lawsuit in Vermont seeking access to the sources of his funding. Instead of revealing who his clients were, Michaels refused to testify. In an affidavit, Michaels stated that:

⁸² Patrick Michaels, New Hope Environmental Services (May,2009), <http://www.nhes.com/>

⁸³ Dr. Patrick J. Michaels, "Affidavit of Dr. Patrick J. Michaels", United States District Court for the District of Vermont, Green Mountain Chrysler et al. v. Crombie et al., Docket No. 02:05-CV-302, July 6, 2007.(Pdf)

⁸⁴ Ross Gelbspan, "The heat is on: The warming of the world's climate sparks a blaze of denial", *Harpers Magazine* (December 1995).

⁸⁵ Clayton Sandell and Bill Blakemore, "ABC News Reporting Cited as Evidence in Congressional Hearing On Global Warming," *ABC News* (August 3, 2006). <http://abcnews.go.com/Technology/globalwarming/story?id=22425658page1>

(A)s the case moved closer to trial, I learned in conversations with plaintiff's counsel that New Hope's confidential information might not remain confidential if I testified at trial. Consequently, on or around April 7, 2007, I informed plaintiff's counsel that I would not testify at trial. My sole reason in doing so was concern that my trial testimony would result in the loss of confidentiality for the New Hope information. ... (The Greenpeace motion would) result in New Hope losing clients. I am doubtful that New Hope will continue to stay in business as an effective consultancy ... This is precisely why I did not testify at trial. Although this resulted in a short-term loss of income to me, it assured the long-term viability of New Hope. Besides modest speaking fees, New Hope is my sole source of income beyond a negotiated retirement package from the University of Virginia. Thus, the Greenpeace motion, if granted, would imperil my livelihood. New Hope also employs the services of other scientists who receive all or a substantial part of their incomes from New Hope. Their livelihoods are also threatened by the Greenpeace motion.⁸⁶

This is ironic. One of the charges that he made in his editorial in the *Wall Street Journal* on how the East Anglia and Penn State scientists were undermining science by refusing to turn over computer codes and climate data to be properly reviewed by outsiders like him so that their biases could be explored. Nevertheless, when it came time for him to reveal possible sources of his biases, he refused to comply.

Deniers routinely question the motives of climate scientists, speculating about dark conspiracies to grab power and impose a "Greenpeace" lifestyle on everyone, but in this, perhaps, they are projecting their shadow, their own conspiracy to manipulate the public as the paid agents of oil and coal interests who do not want their efforts to manipulate the public revealed. As with Patrick Michaels, most deniers either are getting grants from oil or coal companies or they are directly employed by them. Even Richard Lindzen, one of the few deniers other scientists have some respect for, has been paid \$2500 a day by oil and coal interests. His trips to testify before Congress on climate change have been paid for by Western Fuels, and a speech that he wrote, entitled "Global Warming: The Origin and Nature of Alleged Scientific Consensus," was underwritten by OPEC.⁸⁷

A surprisingly large number of deniers are tobacco company scientists. Starting in 1993, Fred Singer, another leading climate denier, has had numerous ties to Phillip Morris, a large tobacco company. He has taken money from the Tobacco Institute, worked with Apco Associates (a PR firm hired by Philip Morris to organize and direct The Advancement of Sound Science Coalition), and was part of an attack on an EPA risk

⁸⁶ Dr. Patrick J. Michaels, "Affidavit of Dr. Patrick J. Michaels", United States District Court for the District of Vermont, *Green Mountain Chrysler et al. v. Crombie et al.*, Docket No. 02:05-CV-302, July 6, 2007.(Pdf)

⁸⁷ Ross Gelbspan, "The heat is on: The warming of the world's climate sparks a blaze of denial", *Harpers Magazine* (December 1995). <http://dieoff.org/page82.htm>

assessment of environmental tobacco smoke.⁸⁸ From its beginning in 1993, Patrick Michaels was also a member of The Advancement of Sound Science Coalition.⁸⁹

Richard Lindzen is also a tobacco company scientist. Testifying before Congress decades ago, he raised doubts about the reliability of statistical connections between smoking and health problems. Even today, after even the tobacco companies have given up denying the link between smoking and cancer, Lindzen persists in doubting the link between smoking and cancer. James Hansen wrote in his book that when he asked Lindzen about his earlier position on tobacco, instead of being apologetic for his role in this health nightmare, as one might expect, Lindzen enthusiastically launched into a statistical critique of associations between smoking and cancer.⁹⁰ Hansen was amazed that the Bush administration would use a tobacco company scientist to deny global warming, but perhaps he was naïve, presuming that science was actually the issue.

The criticism deniers make of mainstream scientists on climate change needs to put into the context of corporate sponsored opposition to mainstream science. Oil, coal, and other industrial interests have trillions of dollars invested in carbon-based fuels, involving vast networks of pipelines, railroads, refineries, gas stations, and coal-fired generating plants, which all support the agriculture, housing, automotive, and trucking industries. Corporate stakes in a carbon-based economy are staggering, involving almost every aspect of our lives. Given the vast amount of public relations resources that carbon-dependent corporations have at their disposal, is anyone surprised that there would be so much “doubt” about the reality of climate change?

Doubt and Science

Although climate deniers have succeeded in convincing a large segment of the public that there is debate among scientists about anthropogenic global warming, as we saw earlier, there actually isn't. Dr. James Baker, former head of the National Oceanic and Atmospheric Administration (NOAA), has said, “There's a better scientific consensus on this (anthropogenic global warming) than on any issue I know—except maybe Newton's second law of (thermo)dynamics.”⁹¹ This public doubt about anthropogenic climate change is manufactured, a corporate public relations product, financed by oil and coal interests. It isn't science, however much some of the leading deniers want to make it look like science; it's corporate propaganda, a lie laid on a foundation of fraud. Aside from a minority driven by right-wing ideological purposes, climate deniers have essentially the same goal that all advocates for industry have, to raise doubt about the harm caused by industry, delaying any kind of regulation to protect the public and the planet. As the tobacco companies showed with their denial efforts, the more doubt there is, the more delay there is. The more delay there is, the more money they make. The

⁸⁸ *Source Watch*, “S. Fred Singer,” (2010), <http://www.sourcewatch.org>

⁸⁹ *Source Watch*, “Patrick Michaels,” (2010), <http://www.sourcewatch.org>

⁹⁰ James Hansen, *Storms of my Grandchildren*, pp. 15.

⁹¹ Ross Gelbspan, “Snowed,” *Mother Jones* (May/June, 2005).

point behind the deniers' "sound science," "junk science," and "Climategate," is to delay regulation, or any kind of shift to a more responsible energy policy.

The way of institutional research: Science is a way of knowing the world, for finding truth.⁹² In this, it is like other institutions that exist in the modern world to find truth--jury trials, legislative debates, police investigations, and public hearings.⁹³ Science uses the controlled experiment, establishes research bureaucracies, and deploys peer review to produce truth. As a result, modern science is a very disciplined, very rigorous, discussion about nature.⁹⁴ In the modern scientific community, truth is revealed by correct method, precise measurement, and rigorous analysis. In its own way, debate among scientists is as rule-bound as a debate in a legislative assembly or in a court case. Because of its institutional character, science is a collective effort, not an individual one. Individual scientists, like Einstein, Richard Feynman, or, in climate science, James Hansen and James Lovelock, may be publicly celebrated for their achievements, but none of them did it alone. It took a village, a whole community of scientists for them to accomplish what they did. Nothing in modern science is true because one scientist makes a discovery. A discovery is a discovery only after other scientists validate it. An individual scientist's accomplishments matter only because other scientists say they matter. Truth, in modern science, is a collective achievement, not a personal discovery.

Just as Americans charged with a crime have a right to a trial by a jury of their peers, scientists use peer review to sort out good science from bad science. To reduce a discovery to its practical essence, it is all about reading and readers. Scientific papers without readers who can fully understand them are nothing but illegible markings on a piece of paper, as meaningful to the world as a Bible is to a chimpanzee. Without peer review, no discovery exists. Reasonable people may differ over whether a tree that crashes to the ground in forest makes a noise or not if no one is there to hear it, but no one makes a scientific discovery unless other scientists agree that it has happened.

After a scientist (and usually, today, it is a team of scientists) has collected data and written the results up in a paper, it is submitted to a peer-reviewed journal. Upon getting a paper, the editor of the research journal will typically assign it to three readers, sometimes more, rarely less. In climate science, as is usually the case for most sciences, the readers are anonymous. (Occasionally, the reviews are double blind, with the author's name blanked out for the reviewers, so that no one but the editor of the journal knows the identity of anyone. This is supposed to reduce bias, so that a paper is judged on its merits alone, but usually it is pointless because any reviewer that is qualified to be a reviewer can usually figure out who the author is.)

Reviewers advise the editor on whether the paper should be published. Criteria for publishing a paper will vary from journal to journal, but in general, reviewers look for a genuine contribution to the discipline. They also look for mistakes in analysis, correct

⁹² Martin Heidegger, "Science and Reflection," *The Question Concerning Technology*, trans. William Lovitt (New York: Harper and Row, 1977).

⁹³ Michel Foucault, *Power/Knowledge*, trans. Colin Gordon, Leo Marshall, John Mepham, and Kate Soper, (New York: Pantheon Books, 1977).

⁹⁴ Wade Sikorski, "Science and Technology," *Modernity and Technology: Harnessing the Earth to the Slavery of Man* (Tuscaloosa: The University of Alabama Press, 1993).

method, appropriate collection of data, and the general coherence of the arguments. Because the advancement of science is more a collective achievement than an individual competition, reviewers are expected to suggest revisions that would make the paper better. The editor reviews the reviewer reports, and makes their own decision on whether to publish and what revisions the authors should make. Peer review is, invariably, an elaborate process. At the end of it, though, readers of the journal, and the public at large, can have some confidence in the quality of the papers published in the journal.

After a paper is published, peer review still continues, in some cases even more intensely. If the paper contests the consensus of the profession, challenging widely held beliefs, it is likely to be the subject of debate, letters to the editor, even other papers. Instead of just a couple of scientists checking the claims in the paper, many scientists will do it. If the paper makes claims based on empirical evidence, other scientists will attempt to duplicate its results, repeating the experiment. If the paper makes its claims analytically, other scientists will check the math. If the scientist's results hold up under this kind of extensive review, their reputation rises accordingly, especially if it establishes a new consensus. They become someone whose work is trusted.

Being of their quantitative orientation, scientists sometimes will quantify their standing in their profession by the number of times other scientists footnote their work. The number of times a scientist is footnoted can affect tenure, promotion, salary, and getting research grants. So, footnotes matter. A scientist that is footnoted a lot, as both James Hansen and James Lovelock are, is respected; a scientist that is not is invisible. Their papers don't matter.

Footnotes are important in another respect. Research papers are usually short, often only a couple of pages, rarely more than 10 pages long. In these papers, scientists raise questions, form theories, test them in experiments, and report their work to their peers, who judge it. Scientists use footnotes in these papers to locate where their paper stands in dialog with other scientist's papers, whether it is supporting, contesting, or revising their findings. Used in this way, footnotes mark the scientific community's progress forward--the evidence collected, the issues decided, and the new issues opening up. Without footnotes, scientific debates would be pointless, chaotic, and futile. They wouldn't have meaning or structure. Science would be a waste of everyone's time. And so, if a scientist overlooks another scientist's relevant work, peer reviewers are expected to bring it up before the paper is published, so that the author can consider their work and respond to it. By making sure that all relevant work is taken into account, and properly assessed, scientists gain confidence in their collective efforts.

This is how scientists have agreed to work together to find truth. It is a collaborative effort, strictly bound by method, tradition, and a sense of responsibility and community. There are rules, expectations, and norms, for scientists to follow, and following them is important because that is how progress is made. In climate science, however, deniers of anthropogenic climate change are not playing by the rules. When for example, as we saw above, Richard Lindzen and Yong-Sang Choi did not footnote or discuss the work of another scientific team, Forster & Gregory (2006), that had addressed the same issue they had, but come to an opposite conclusion, it was a major fault in their paper, probably

sufficient by itself to prevent publication unless addressed. If an earlier study was in error, Lindzen and Choi should have explained why it was in error and why their research was better.⁹⁵ That they failed in this, and the fact that their math didn't add up and that they relied on data that was not "objective," is why Kevin Trenberth concluded that Lindzen and Choi's paper has "all the appearance of the authors having contrived to get the answer they got."⁹⁶ This is probably the harshest thing a scientist can say about another scientist.

Scientists are expected to resolve their debates in peer-reviewed journals, a carefully constructed forum where the use of evidence, rigorous argument, and footnotes combine to give the scientific community confidence that progress toward truth is the outcome of everyone's efforts. They are not supposed to widen the scope of a conflict over research by going outside this forum, attacking other scientists in the mass media, and seeking to get leverage for their views in the mass media that they could not get inside the scientific community. Yet this is what Lindzen, Michaels, and other deniers have done by taking their case to the *Wall Street Journal's* editorial page and appearing on *Fox News* programs. Lindzen even went so far as to appear on Jessie Ventura's TV program *Conspiracy Theory*, where he accused his colleagues of conspiring to deceive the public on global warming.

The danger in widening the scope of the conflict like this is that it will corrupt the institution of science by bringing in people to judge the work of scientists who are not scientists themselves. The deniers claim that they are protecting the integrity of science, but by widening the scope of the conflict, they are actively assaulting it, politicizing science in a way that radically undermines it. They are putting its conclusions on trial in a way that they should not be. Not all opinions are created equal, and not everyone is qualified to judge the work of scientists. Appealing to the general public to destabilize the consensus of climate scientists, exploiting the gullibility of the least educated to dismiss the efforts of the most educated, is not "sound science;" it is junk science.

Peer review is an imperfect human effort, to be sure. Sometimes papers are, indeed, treated unfairly in peer review and good effort is not rewarded. There probably isn't a single academic in the world that has not complained about peer review. (I, myself, have a book on political psychoneuroimmunology--one that is really quite good, by the way--that never got published.⁹⁷) Nevertheless, for all its failings, over the long run, peer review is self-correcting, and it remains the best way that science has of making sure that good research is recognized and that bad research is discarded. Efforts that attack the process, or that bypass it by appealing to an audience that is incapable of judging the merits of an issue, is suspect, even dangerous.

⁹⁵ Climate Progress, "Lindzen debunked again: New scientific study finds his paper downplaying dangers of human-caused warming is "seriously in error," (Jan. 11, 2010). <http://climateprogres.org/2010/01/11/science-lindzen-debunked-again-positive-negative-feedbacks-clouds-tropics/?ut>

⁹⁶ Trenberth, K. E., J. T. Fasullo, C. O'Dell, and T. Wong (2010), Relationships between tropical sea surface temperature and top-of-atmosphere radiation, *Geophysical Research Letters*, doi:10.1029/2009GL042314, in press.(accepted 5 January 2010)

⁹⁷ Wade Sikorski *Infected with Difference: Healing Dis/ease in the Body Politic*. <http://www.middrivers.com/~wds>

If the climate deniers really are right about global warming, why can't they write analytically sound papers? Why can't they report data that other scientists can duplicate? Why can't they make their cases in peer-reviewed journals, instead of going to the *Wall Street Journal's* editorial page or *Fox News*, where they issue all sorts of libel against science? If the deniers had a case to make, if truth actually was on their side, and they were not merely shilling for the oil and coal industries, they should be able to make the case to the scientific community, giving them something that would make them pause. Instead, they bypass peer review and protest their cause on the editorial pages of the *Wall Street Journal*, *Fox News*, and the Internet, accusing climate scientists of fraud, conspiracy, incompetence, and bullying. This, at bottom, is not an effort to improve science, as the deniers would have it; it is an effort to destroy it.

Public relations tactics and deniers: Although deniers have proven themselves bad scientists, they have proven themselves masters at the art of public relations. Much of what they know about the management of public perception of science probably came from Frank Luntz, a famous consultant for conservative and corporate causes. Luntz is a word master, using simple code words and phrases to manipulate public perception, such as "sound science," "junk science," and "uncertainty." In "The Environment: A Cleaner, Safer, Healthier America," Luntz laid out his strategy to generate doubt about climate change. To counter the notion that "Washington regulations" represent the best way to preserve the environment, Luntz argues that we should rely on a free market to do it, letting the corporations do as they please within the market, which, we are assured, will punish polluters appropriately for pollution. To make sure the environment remains a safe place to dump corporate pollution Luntz advises, as quoted by David Michaels in his book:

"Winning the Global Warming Debate—An Overview" reads the title at the top of page 137 of Luntz's document. Item number one is this: "**The scientific debate remains open.** Voters believe that there is *no consensus* about global warming within the scientific community. Should the public come to believe that the scientific issues are settled, their views on global warming will change accordingly. Therefore, *you need to continue to make the lack of scientific certainty a primary issue in the debate*, and defer to scientists and other experts in the field." On the following page is this paragraph: "***The most important principle in any discussion of global warming is your commitment to sound science.*** Americans unanimously believe all environmental rules and regulations should be based on sound science and common sense. Similarly, our confidence in the ability of science and technology to solve our ills is second to none. Both perceptions will work in your favor if properly cultivated." And below that paragraph is this boxed statement: "**LANGUAGE THAT WORKS [:] 'We must not rush to judgment before all the facts are in. We need to ask more questions. We deserve more answers. And until we learn more, we should not commit America to any**

international document that handcuffs us either now or into the future.”
[Emphasis in the original.]⁹⁸

It is a mark of Luntz’s genius that he appeals to “sound science” while actually subverting it. In the quote above, Luntz does not care about what scientists say, or what the truth actually is, only about what the public perceives scientists saying. Between science and the public, Luntz would intervene, interposing a framing of the world that sacrifices public interest to corporate interest. To put it simply, he is advising his clients how to manipulate the public so that they will believe lies, not scientists.

The art of the lie: It might be easy to excuse people who join the deniers, believing as Luntz prescribes, so skillful are his efforts, so apparently innocent the cause of his victims, but we must be careful to not give license to excuses. People who believe lies are never entirely innocent, mere helpless victims. People do not believe lies unless they first give consent to them in a subtle way. Liars succeed by engaging the shadow side of their victims, massaging the greedy, lazy, irresponsible aspects of their personalities, letting these ugly aspects of the self grow and flower. Then they implicitly conspire with their victims to pretend that the ugly reality of what is emerging from their souls is not what it is. For affirming the parts of themselves that they would disown, the victims are grateful to the liar, and they grant the liar continued permission to lie to them. They suppress their suspicions, allowing the spiral of deception and self-deception to deepen, expand. By giving their victim’s secret self license to come out and play, the liar engages in a subtle conspiracy with their victim’s shadow side, playing on their hopes while nurturing their greed, helping them deny their failure to do due diligence while praising them for their diligent efforts on behalf of their shared purpose, which is maintaining the integrity of the lie.

In Montana, we saw how this played out in the prison con at Hardin. Michael Hilton told a story too good to be true, but many people in Hardin believed him because it was so useful to believe. Things have been hard in Hardin; people there are long suffering and desperate. Showering them with gifts, attention, and praise, Hilton told them that they were worthy, that their prison had merit that no one else appreciated. He played on their desperation, their greed, and their insecurity.⁹⁹ Believing him, people in Hardin believed in themselves. But it was all an exploitive lie, which is why what he did was so horribly cruel. He cultivated self-delusion, gave people confidence in the false image of themselves they conspired to construct, and then he stole it all away when the truth came out.

People who believe climate deniers are like the people at Hardin who believed Michael Hilton. They want to see themselves as good people, who would never harm the planet or their children. When scientists tell them otherwise, and that they have to change the

⁹⁸ David Michaels, *Doubt is Their Product: How Industry’s Assault on Science Threatens Your Health* (Oxford: The Oxford University Press, 2008), pp. 198. Frank Luntz’s paper, “The Environment: A Cleaner, Safer, Healthier America,” (2003), where the quote comes from, is available at: <http://www.ewg.org:l6080/briefings/luntzmemo>

⁹⁹ Ed Kemmick, “Was Hilton just the latest to seek gains from Hardin,” *Billings Gazette* (Oct. 18, 2009). http://billingsgazette.com/news/state-and-regional/montana/article_d218d8d8-bb81-11de-8043-001cc4c03286.html

way they live if their children are to have a future, they feel oppressed, guilty. They feel bad about themselves. But the deniers offer people who don't want to see themselves this way, or change the way they live, an easy way out. They can believe the scientists are frauds, engaged in a conspiracy to deceive them, and that the truth is a lie. It is so much easier this way, and that is why the people who believe the deniers are not merely innocent victims. They believe lies because it lets them off the hook, relieves them of their guilt, and allows them to avoid responsibility. So long as there is "doubt," so long as they are supporting "sound science," not "rushing to judgment," and are waiting for answers "they deserve to have," they can continue as they have. Denial is easy, as Luntz clearly understands; responsibility is not.

The Eco/nomic and Political Consequences of Denial:

Neglecting the eco/nomy for the sake of corporate economics, humanity is at a tipping point, as many of the world's leading climate scientists agree. Focusing on the immediate, the profitable, and the merely human we disregard what the forces we set loose will cause. According to David Archer, a professor of geophysical sciences at the University of Chicago:

We will conclude by considering the awesome potential energy impacts of a gallon of gasoline on Earth. When it is burned, it yields about 2500 kilocalories of energy, but this is just a beginning. Its carbon is released as (carbon dioxide) to the atmosphere, trapping Earth's radiant energy by absorbing infrared radiation. About three-quarters of the (carbon dioxide) will go away in a few centuries, but the rest will remain in the atmosphere for thousands of years.

If we add up the total amount of energy trapped by the (carbon dioxide) from the gallon of gas over its atmosphere lifetime, we find that our gallon of gasoline ultimately traps one hundred billion (100,000,000,000) kilocalories of useless and unwanted greenhouse heat. The bad energy from burning that gallon ultimately outweighs the good energy by a factor of about 40 million.

The enormous world-altering potential of that gallon of gasoline has taken the reins of the Earth's climate away from its natural stabilizing feedback systems, and given them to us. May we use our newfound powers wisely.¹⁰⁰

The difference between the energy directly generated by burning the gallon of gas and the energy retained by the greenhouse gases that it creates when burned is the difference between the economy and the eco/nomy, the part and the whole, the market and the ecosystem. This difference between what a gallon of gas does to the human economy

¹⁰⁰ David Archer, *The Long Thaw: How Humans are Changing the Next 100,000 Years of Earth's Climate* (Princeton: Princeton University Press, 2009), pp 173.

and what it does to nature's economy can be likened to the national debt. We spend the money now, but our children, their children, and their children's children will pay for it.

Actually, it is worse. The Federal Reserve Board could pay the entire national debt off, every penny. The Fed has that kind of power. In a couple of nanoseconds, the Fed's computers could create all the money we need to do this. In less than a blink of an eye, everything would be paid off. Of course, every economist in the country, left and right, would go goggle eyed and say it shouldn't do that, but never mind them. The point is, it could do this. Human institutions, like the president, Congress, and the Fed, can manage the federal debt. It is just money, something we humans have sovereignty over. Congress can, and routinely does, change the laws of economics by changing the laws regulating money. However, as much as it may change the laws of economics by changing the law, Congress has no authority over the laws of nature. None. It cannot repeal the impact that carbon dioxide has on the climate. The enormous debt we are building up in nature's economy will not go away with some sleight of hand. No corporate public relations team is going to make climate change disappear.

Climate scientists are telling us that we risk much continuing business as usual. As temperatures rise, the Arctic ice cover is melting, increasing the amount of energy Earth absorbs, which in turn raises temperatures even more. The tundra in Alaska and Siberia is melting, releasing carbon dioxide and methane, as are the methane hydrate deposits in the ocean, all of which feeds back, amplifying the harm of anthropogenic releases. Ecosystems across the world, especially the rainforests, are increasingly in danger of collapse, which will also add more greenhouse gases to the atmosphere. Algae populations in the oceans could collapse in large areas at any moment, eliminating a powerful negative feedback loop that helps maintain Earth's homeostasis. As temperatures raise, the possibility that we will cross a threshold, turning linear change into abrupt, catastrophic, change increases.

Deniers say all this is in doubt. To deniers, I say, prove it. Show us that it is safe to go beyond carbon dioxide levels of 350. Show us a negative feedback loop powerful enough to maintain Earth's homeostasis. Prove to us that the methane hydrate deposits on the bottom of the ocean will not be released with increased warming. Prove to us that the ocean's currents aren't going to suddenly shift, causing warm waters to flow over the methane hydrate deposits. Give us evidence that the amount of carbon dioxide and methane sequestered in the Arctic tundra are not enough to become a significant positive feedback to warming. Reassure us that the world's rainforests are not endangered. Prove it all beyond any reasonable doubt, and then I will agree that we need not take dramatic action to save our Earth.

However, until then, until the scientists are proven wrong, we must take precaution. I agree with the deniers that science is uncertain about many things about climate change--especially that we don't know where all the tipping points are--but I come to an entirely different conclusion about how to respond to scientific uncertainty than deniers do. They say that scientific uncertainty, any kind of doubt, means we need make no change. I say that scientific uncertainty means we must take immediate precaution, take the

conservative approach, and make sure we know what the consequences are before we further endanger the world.

Given what climate scientists have proven about climate change, and what deniers have failed to disprove, saying that we must be balanced in our approach to economic development, not letting environmental protection get in the way of the economy, is like saying we should be balanced about letting a baby play in the middle of an interstate highway. The “balance” deniers would strike is a con to cover up a lie. The impossibly ugly fact is that by increasing levels of greenhouse gases, we play Russian roulette with the lives of future generations. The methane hydrate gun is fully charged. It could radically change our climate, killing perhaps billions of people. We don’t know what triggers it, but we do know it does go off. Moreover, we know that as the Arctic ice cover melts away, the tundra thaws, and the forests die, we increase the odds of it going off. And yet the deniers would have us ignore all this for the sake of corporate interest.

Waiting until no one doubts future catastrophe would be waiting too long. By then it will be too late. We will be cast out of our earthly paradise, forever banished. As Martin Luther King said, “there is such a thing as being too late.” We need to take responsibility for the world we are creating now, before it is too late.

Nowakowski, Sonja

From: Erin Freitas [erin.freitas@live.com]
Sent: Thursday, July 01, 2010 10:27 PM
To: Nowakowski, Sonja

Hello,

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
3. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
4. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
5. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
6. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
7. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
8. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
9. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
10. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
11. NWE has been working on MSTI "under the radar," without notification and consideration to

Beaverhead County landowners and residents.

12. Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public."

2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."

3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens

and private property rights. Legislation is It needs to be enforced. Montana

Law: MCA 70-30-110: "Survey and location of property to be taken – greatest public good."

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. Montana

Law: MCA 90-4-1001 "promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS"

Sincerely,

Erin Freitas

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. [Get busy.](#)

Nowakowski, Sonja

From: Gene St. John [stjohn@nemont.net]
Sent: Sunday, July 04, 2010 7:59 AM
To: Nowakowski, Sonja
Subject: LC 6000
Attachments: "Certification"

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities;"

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to ".Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

. Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities. The consensus was that removal of local control - a longstanding principle historically honored and repeatedly upheld by the Legislature - was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.

. Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.

. Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating - as would happen under the state RPS - that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

. Voluntarily, Montana's electric cooperatives are working to

advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

. Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of our comments.

Best Regards,

Gene & Patty St. John

Members of NorVal Electric Co-op (Opheim, MT)

Nowakowski, Sonja

From: Mike Arnst [mike@ebgrain.com]
Sent: Sunday, July 04, 2010 9:57 AM
To: Nowakowski, Sonja
Subject: comments

I have some comments regarding energy. As the largest production county in the state, Chouteau county, Fort Benton Montana has some pretty promising ideas.

As a conservation district supervisor and a producer, we would like a state initiative to use CRP as an energy crop to burn to make electricity. (swath and bale) and burn in a controlled plant. The excess waste heat would be used to heat a crushing plant to convert oil seed crops to fuel our military. We would like a team to do a feasibility study and look into the challenges and rewards of this concept which we are pursuing.

Mike Arnst
Fort Benton

Nowakowski, Sonja

From: woody [bronco60@comcast.net]
Sent: Sunday, July 04, 2010 6:11 PM
To: Nowakowski, Sonja
Subject: Energy and Telecommunications Committee's proposal re. energy issues

Dear Ms. Nowakowski,

I urge the Committee to guide the state into an enlightened, creative and environmentally protective posture in regards to the development of energy policy and legislation.

This will necessitate the hard, but prescient, rejection of coal resource development as an energy option.

Montana has coal reserves; we need energy; coal production would generate revenue. However, the ethical implications of continued coal use dictate another choice. The danger to the environment from continued use of fossil fuels is beyond dispute. That debate is over. Even the CEO of Duke Energy acknowledges that we must stop our dependence on coal. For Montana to enshrine the use of coal as "policy" would be tragic, backward and, frankly, stupid. There are sustainable options and they produce not only energy but jobs, revenue and commercial revitalization.

Please look upon this as an opportunity to be refreshingly innovative while, simultaneously, helping to save the planet. Lets guide Montana into the future, not the past.

Sincerely,
Woody Nedom
P.O. Box 2006
Bigfork, MT 59911

Nowakowski, Sonja

From: Mary McLaughlin [marymc@outdrs.net]
Sent: Sunday, July 04, 2010 7:32 PM
To: Nowakowski, Sonja
Subject: Energy Policy

Dear Ms. Nowakowski,

I would like to comment on the state's energy policy. If you respect the public and our views in the decision making processes - why is it that when there is a major project being developed such as 500kV transmission lines through private property, the landowners are among the last to be notified? Landowners should receive personal letters of notification the same as the federal and state agencies, legislative representatives, and environmental groups. Plans have already been devised before the landowners even have a chance for input. The health and well being of citizens and property values of landowners should have precedence over the rest of God's created beings.

Sincerely,

Mary J McLaughlin
580 Little Basin Creek Rd
Butte, MT 59701

Nowakowski, Sonja

From: JoanHurdle [joanhurdle@bresnan.net]
Sent: Monday, July 05, 2010 8:18 AM
To: Nowakowski, Sonja
Subject: energy policy

To Sonja Nowakowski,

Thank you for taking comment on **state energy policy**.

We should not be encouraging coal development at all. We need something new and innovative!

What is the impact of the strip mining that has already been done in eastern Montana?

How much has been mined compared to how much has been reclaimed?

We need to develop clean energy, not coal.

We can compare the Gulf oil disaster to mining coal in eastern Montana. They have some things in common: recklessly issued permits, poor environmental studies, a silent local press, use of water resources, and little transparency or accountability.

I'd like to suggest that before we move any closer to adding 2.5 billion tons of greenhouse gases into the atmosphere from Otter Creek coal, that we take a closer look at the strip mining that has already been done in eastern Montana, evaluate the amount of reclamation that has been done, and, while we're at it, we might take a look at the long range impact on water and air resources.

In the Gulf, the silence included total silence about the long, ongoing destruction of the coastline by canals and pipelines. A great deal of damage occurred *before* the "blowout" through permitted processes few were aware of and nobody talked about. For example, one canal, "The Mississippi River Gulf Outlet," after killing off 39,000 acres of forest and wetlands, was able to usher Hurricane Katrina right into New Orleans.

The public has the right to know exactly what we are doing in eastern Montana.

Joan Hurdle

210 Nall, Billings, 406-259-313

Nowakowski, Sonja

From: Amy Severance [asevezzz@gmail.com]
Sent: Monday, July 05, 2010 10:34 AM
To: Nowakowski, Sonja
Cc: aseve@whitehallmt.org
Subject: ETIC public comment

Dear Ms. Snowakowski,

As the research analyst for the Energy policy commission I'd like you to add my name to the disenchanting list of persons receiving the brunt of current Montana Energy Policy. I live in Whitehall and am part of a grass roots effort to open the eyes of the ETIC to policy that is undermining the rights of private land owners in Montana. I am speaking specifically to the "roadmap" that designates the Jefferson Valley as the "green" energy corridor.

Firstly I'd like the energy commission to notify the public accurately that the energy transmitted from these lines is coal generated. Until coal fired electricity can scientifically be sequestered (?) it is the #1 atmospheric pollutant and therefore the label "green" is a misnomer at best.

Secondly I'd like the energy commission to recognize the powerline corridors that have already been designated by the DEQ and adhere to those previous assessments as well as those in previous EIS. Persons who purchased properties in those locations did so with full disclosure and should not hold the rest of the community hostage to their resulting frustrations since their misguided purchases sets their property in the path of any transmission corridors. Given their unfortunate position the ETIC should see fit to bury proposed transmission lines because the "cost" of loss of property value is enormous. And leaving them above ground is not "green" by the standards of any power progressive countries.

Lastly the ETIC needs to place in any legislation the specific state requirements, standards, and best practices persons employed by the DEQ and those enlisted to design EIS to be beholden to, including the specific levels of adherence to local zoning regs. In June during the Jefferson County VS NWEnergy and DEQ I witnessed dialogue between spokespersons for the power company, the DEQ and the Jefferson County attorney that showed a broken communication system at best between these representatives of our land. I would encourage you to attend the next leg of the legal debate in the Virginia City courthouse on July 7, to hear testimony that proves how dysfunctional these tax funded organizations represent themselves, our laws, and your commission.

Sincerely,
Amy Severance
aseve@whitehallmt.org

To: Energy Interim Committee

From: Tim and Marie Garrison
PO Box 132
Divide MT 59732
Rancher, private landowner and member of Move MSTI

RE: Comments on Montana Energy Policy

Thank you once again for the privilege of speaking before you on the subject of rebuilding and extending electric transmission lines. Representing the citizens and private landowners in Southwest Montana is an honor that the public gave us in trusting us to present the private sector's position on the building of transmission lines across our great land. We welcome the opportunity to comment on your Findings and Recommendations and on the Draft Bill LC6000, "An Act revising Montana's energy policy."

A concern we stated during our presentation was the lack of public notification and involvement, especially during the scoping or beginning process of siting the routes of a proposed transmission line. When chosen political persons, environmental groups, and government agencies are involved from the start without the affected landowners input it begins a cycle of distrust and immediate contention between the private sector and the power company. In section 1(m) of Draft Bill LC6000, you "urge developers.... Work closely with all affected stakeholders... in the preliminary stages of development." In defining the term stakeholders, we would like it to be clearly stated and known that this includes all of the following: *private landowner which any proposed route may cross or be adjacent to his/her private property.*

We realize that our legislators believe that Montana's Major Facility Siting Act (MFSA) addresses siting issues for major transmission projects. However as private landowners involved in the MFSA of the Mountain States Transmission Intertie 500kV project (MSTI), we do not share that same belief. There is plenty of provisions to protect wildlife, environmental group issues, and the cost to the power company but very little in the MFSA protects the people, their land, or their interests. The citizens of Montana would like to see stronger laws and language that protect our land, our health, and our businesses. In the MFSA, we need provisions that would avoid siting major transmission lines onto agricultural land, range land and private lands. We need to have laws that would site these major projects away from people and their homes, at least a distance of 2000 feet – we have studies that Dr. Linda Rogers will be sending to you in her comments that support this footage. We would like to have a law that states major transmission line projects be placed on federal and state lands. The MFSA could be a good tool for siting major energy projects if the steps are taken to better protect the people of Montana.

We support one's right to expand their business and enter into marketing options. As ranchers, our family understands the marketing of a product. However, as ranchers we do not upset the business, harm or take the property, or endanger the lives of fellow Montanans to sell our product. We've heard the statement "Montana is an export state – we export beef, grain and now electricity." Merchant lines

are a power company's tool for exporting their product. In this case, the means they use to export their product upsets other businesses, harms and takes property, and endangers lives. These merchant lines should not be built on Montana's private property. We need a clear law stating *'Merchant Lines shall be sited off of private property'*. Perhaps language that suggests *'merchant lines be built onto federal and state lands and use Federal designated energy corridors as set up by the federal agencies on public lands'* is also needed.

As citizens of Montana we believe the tool of eminent domain should NOT be allowed to build independent, non-utility transmission lines across private property. These types of transmission lines do not serve the energy needs of the state but only to make money for the power company. It is not right that a company can take another man's property in order for the company to solely benefit. The money offered in an eminent domain case for these types of projects will never compensate for the devastation to the land, the loss in property value, loss of land use, the worries associated with health risks, the real possibility of a loved one getting cancer, increased costs for fighting noxious weeds, issues with vandalism and trespassing because of maintenance roads across private property.

As fellow Montanans, you know that ranching families in our state have a hard time in today's economy just making ends meet. You know that hanging onto ranches to pass onto our children is becoming harder to do. You know that we love our lifestyle and our families and we are excellent stewards of the land. You know that we work hard and we fight hard to protect what we love. We would like to see our elected officials stand by our side by putting laws in place to protect our land and our way of life.

We are attaching documents from the Northwest Power and Conservation Council. We encourage you to read through this information before making a final decision on your energy policy. You will find statements such as *"According to a new [regional power plan](#) adopted today by the Northwest Power and Conservation Council, 85 percent of the new demand for electricity over the next 20 years in the Northwest can be met by using energy more efficiently."* We believe there is a better way to address the energy needs of our country.

Thank you for your time and consideration.



The Sixth Power Plan: Toward a Clean Energy Future

6th



A publication of the



**Northwest
Power and
Conservation
Council**

Council Document 2010-01
February 2010

The Sixth Northwest Power Plan: Toward a Clean Energy Future

Risk has always been part of energy planning, and never more so than today. Rising electricity demand and fuel costs, evolving climate-change policies, and the growing need for system capacity and flexibility are factors that require careful examination to understand their impact.

Renewable portfolio standards have been adopted in Montana, Oregon, and Washington, with other potential regulation to reduce carbon emissions on the horizon.

Historically, the Pacific Northwest's hydropower system has been able to meet both peak-hour load and provide system flexibility—quickly increasing or decreasing power to keep generation and load in balance. Today, the region faces increasing peaks in energy use coupled with fish protection requirements that reduce hydroelectric production, and increasing wind generation that requires more flexibility. How to add more capacity and flexibility into the power system is a critical question.

The Council's Sixth Power Plan examines the many changing circumstances that affect the power system to determine the best strategy to ensure that the Pacific Northwest's energy is economical and reliable.

**Improved efficiency
is about a third of
the cost of
building new power plants
fueled by
natural gas, coal or
wind . . .**



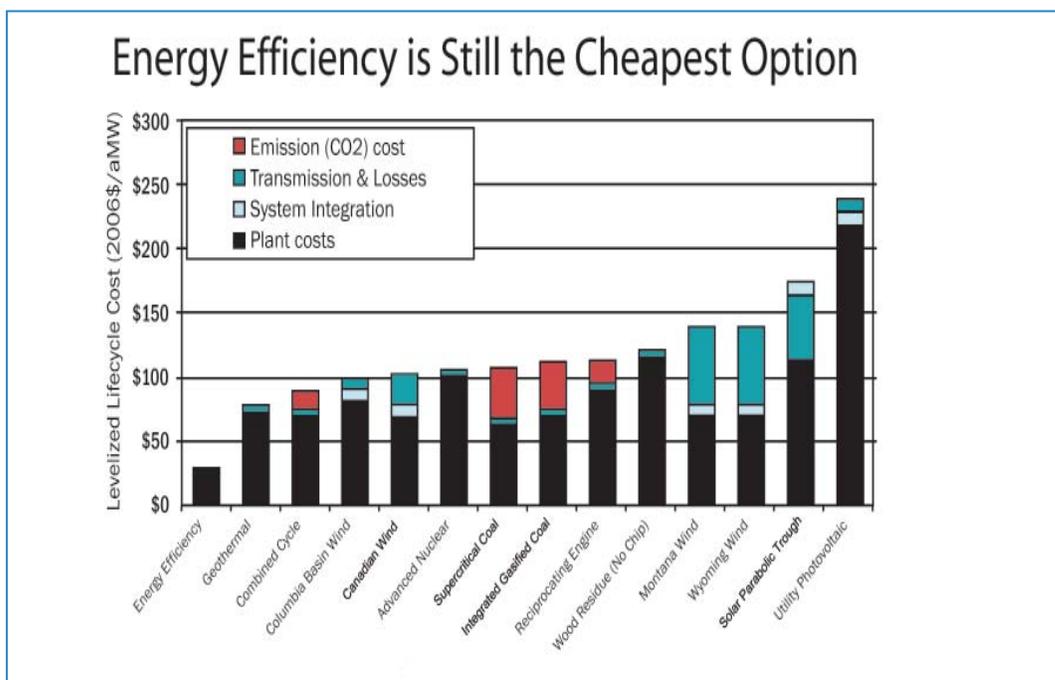
Energy Efficiency Could Meet Most of the Region's Future Load Growth

The overwhelming conclusion from the Council's analysis is that energy efficiency is the most cost-effective and least-risky resource available, and could, on average, meet 85 percent of the region's load growth for the next 20 years.

The 1980 Northwest Power Act made improved efficiency the highest-priority resource to meet the region's rising demand for electricity. It is about a third of the cost of building new power plants fueled by natural gas, coal, or wind, and the region has a proven record of meeting its efficiency goals. Since 1983, we've developed more than 3,900 average megawatts—enough power for all of Idaho and western Montana—saving consumers nearly \$1.8 billion in 2008 alone. Carbon emissions also were reduced by about 15 million tons. It's a win-win for consumers *and* the environment.

Demand is expected to grow by about 7,000 average megawatts by 2030. The Council estimates that about 5,900 average megawatts of energy efficiency are cost-effective and achievable. This is comparable to the amount of electricity needed each year to power five cities the size of Seattle, and it has the potential to usher in a new era of clean and affordable energy.

The record level of efficiency is due to technological advances and new opportunities in electricity distribution, consumer electronics, and lighting innovations. Over time, the Council expects it to be an even better value as the costs and risks of other resources increase.



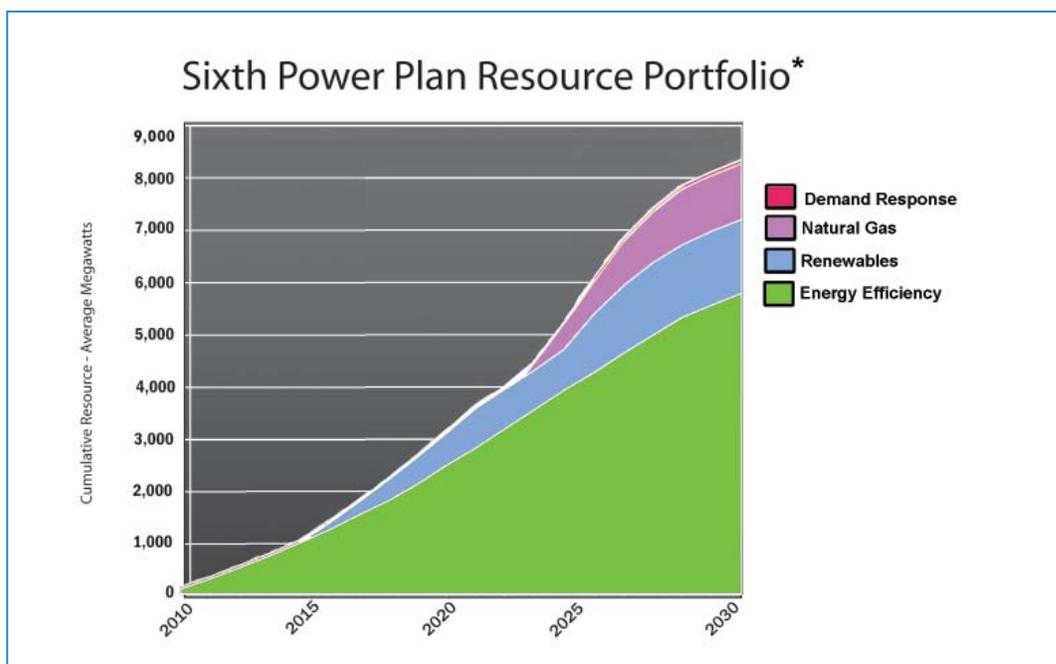
Preparing for the Future: Adding New Resources, Enhancing System Reliability

Along with the tremendous energy efficiency potential, wind generation is the leading resource in the near term to meet renewable portfolio standards in Washington, Oregon, and Montana. But because wind turbines operate only when the wind is blowing, they cannot be relied upon to generate electricity during periods of high demand. Power system operators have to find ways to ensure that electricity service is reliable 24 hours a day. The Council encourages the region to improve forecasting and scheduling of wind power, as well as other system operating procedures, to address the variable nature of wind generation. If that doesn't solve the problem, new gas-fired power plants will need to be built to back up the wind turbines. The Council also encourages developing other cost-effective renewable resources, such as small-scale hydroelectric projects. Analysis shows that geothermal resources are available, although to a smaller degree, and natural gas-fired plants are also a cost-effective option. New

coal-fired power plants, always difficult to site and permit, are likely to become even more problematic to build given current climate-change policies. Therefore, the Council is not recommending that any new coal plants be built during the next 20 years. And in fact, significant reductions of carbon emissions will require reduced reliance on existing coal plants, which currently emit over 85 percent of the carbon dioxide from the regional power system.

Long-term strategies include wind generation imported into the region, gasified coal with carbon sequestration, advanced nuclear, emerging renewable technologies, demand-response programs, and storage technologies.

Investments in transmission upgrades and improving the operation of the system to incorporate site-based renewable energy will help improve its reliability. Smart grid technologies that improve the efficiency of electricity distribution and enable consumers to help solve energy problems—moderating peaks in energy use, for example—have the potential to transform the power system, and the Council encourages continued research.



*Expected Value Build Out. Actual build out schedule depends on future conditions

Balancing Fish and Wildlife and Energy

The Northwest Power Act requires the Council to develop a program to protect and enhance fish and wildlife as part of the power plan. The Columbia River Basin Fish and Wildlife Program, which relies on reviews by independent scientists, guides the Bonneville Power Administration's expenditures to mitigate the effects of the Columbia River hydrosystem on fish and wildlife. By emphasizing energy efficiency to meet demand, by carefully planning the region's generation development and monitoring its power supply, and by implementing strategies to protect fish and wildlife from the impact of power system emergencies, the Council fulfills its role to ensure that fish and wildlife remain on an equal footing with energy.



Photograph by Dick Wallace

Background

The Northwest is unique in how it plans its energy future. Through the Northwest Power and Conservation Council's power plan, strategies to ensure the affordability and adequacy of the power system are developed in an open forum where the public can voice its opinion. Why is this so important? With the building of the region's first mainstem Columbia River dams in the 1930s, the Northwest would have access to inexpensive electricity for many years. But by the 1960s, increased demand led energy planners to believe that hydro-generating resources would soon be unable to keep up with the pace of growth.

In the 1970s, the Bonneville Power Administration—the federal agency that markets the electricity generated at federal dams on the Columbia River—began working with public and private utilities in the region to develop major new generating resources, including several nuclear plants. But the projects proved to be hugely expensive and electricity rates skyrocketed. Growth in electricity demand fell far short of earlier projections, in part because of the high rates. The region was left with an energy surplus in the early 1980s, eliminating the need for most of these new and expensive generating plants. Many of the projects were abandoned, and the region was left with the then-largest municipal bond default in U.S. history. Northwest customers continue to make payments on part of this debt.

Amidst the turmoil caused by this massive planning failure, Congress enacted the 1980 Pacific Northwest Electric Power Planning and Conservation Act authorizing the states of Idaho, Montana, Oregon, and Washington to form the Council as an “interstate compact” agency. The Act requires the Council to develop a 20-year power plan to assure the region of an adequate, efficient, economical, and reliable power system; and to develop a fish and wildlife program to protect, mitigate, and enhance fish and wildlife affected by the dams.



The Sixth Power Plan: Toward a Clean Energy Future



851 S.W. Sixth Avenue
Suite 1100
Portland, Oregon 97204

Telephone: 503-222-5161
Toll free: 800-452-5161
Web site: www.nwccouncil.org

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PORTLAND, OR

The Sixth Power Plan:
Toward a Clean
Energy Future

Nowakowski, Sonja

From: wwranch@3rivers.net
Sent: Monday, July 05, 2010 6:21 PM
To: Nowakowski, Sonja
Cc: wwranch@3rivers.net
Subject: Citizens for Clean Energy recommendations of ETIC

Greetings Sonja,

On behalf of Citizens for Clean Energy, Inc., we're pleased to have the opportunity to encourage the the interim ETIC to support clean energy development and R & D, conservation and energy-efficiency, plus help promote effective and reasonable energy transmission development for Montana and the US Government.

We would wish to discourage the notion that coal is 'cheap' and certainly not so when all the external costs are considered which should apply to all fossil fuels, as we've seen the consequences, particularly with the BP Gulf disaster. We realize domestic oil production is vital to our Nation's energy independence, but we must also lead in conservation and incorporate energy-efficiency as part of that - in transportation, building codes (MT has made some good steps there) and in all government institutions to show leadership for residential and commercial consumers.

Further, CCE would urge ETIC to re-examine the invaluable efforts of the work done by the Governor's Climate Change Committee and its working groups on energy-efficiency and conservation. CCE members Dr. Cheryl Reichert, Ken Thorton and myself were all privileged and proud to be a part of that effort. A sound blueprint has already been laid down and could be further enhanced by the legislature please

This is a defining moment in our Nation's destiny in regards to energy and let's show that Montana can LEAD the way to develop our wind, water, biofuels, sun and share our natural resources with America.

Respectfully,

Richard D. Liebert
Lt. Colonel (Ret), Army
Chair, CCE, Inc.
289 Boston Coulee Road
Great Falls, MT 59405

ps - and we're very eager to have the state help promote Malmstrom Air Force Base as a future energy innovation center, where we can share research and development with the Departments of Energy, Agriculture and Defense in harmony with the State of Montana for a joint facility to enhance our wind development and biofuels, particularly Camelina and other biofuel prospects.

Nowakowski, Sonja

From: Lori Stiffler [lstiffler33@hotmail.com]
Sent: Monday, July 05, 2010 8:02 PM
To: Nowakowski, Sonja
Subject: MSTI travesty

Dear Ms. Nowakowski and Members of the Energy and Telecommunications Interim Committee,

I have been keeping as close a watch as possible on the MSTI line developments, although as you probably know, much of it since its inception has been secretized by NW Energy and its devious allies.

This is quite an emotional issue for me, as it is for the many folks who have any real understanding of what the consequences of this project are. Those consequences will strike us for, not only those of us who will be directly affected by having this monstrosity cross our property, but also for those who see the long term viewshed destruction, health risks, and moreover, experience the politically sanctioned insidious and greed-based corporate takeover of our land. Ah yes, clean wind energy! Who can argue against an infrastructure supporting that? No one talks about the dirty dealings and the shunning of public opinion from those whose personal lives and rights will be violated! And to make matters worse, this power is to be exported to greedy, power hungry folks who have no idea the damage that has been done getting so much energy into their wasteful lifestyles! It is appalling to me.

I urge you and the members of the Committee to consider us "small" folks who have gotten more and more steamrolled, lied to, and generally disregarded in this latest corporate takeover.

Sincerely,
Loretta J. Stiffler
Jeffrey A. Johnson
700 German Gulch Road
Anaconda, MT 59711
406-490-0493

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [See how.](#)

June 28, 2010

Energy Telecommunications Interim Committee
Montana Legislature
Box 201704
Helena, MT 59620-1704

ATTN: Sonja Nowakowski

Dear Committee Members:

It is my understanding that you are accepting public comment on on the State's energy policy. Concerning existing policy I show a case in point:

I understand that an EIS is being drafted for the proposed MSTI line to be constructed through southwest Montana. Why is there no EIS required for the 50 to 100 acre substation that would be located in the heart of Broadwater County? With a project of this magnitude and implications for many residents and aspects of the environment, doesn't the substation merit as much study as the transmission line? How is this just "happening" without anyone being able to raise a question? The substation will have much greater impacts on this county than just the elimination of one hay field. The bigger picture needs to be examined prior to approval or construction.

With the Governor desiring to fast-track new energy developments, many Montana communities may face the same situation as residents of Broadwater County.

I ask that you please consider language that will once again require substation/collector sites and new collection lines have an EIS before the projects are approved, or allowed to be constructed.

Sincerely,

Barbara K. De Martin

Barbara K. DeMartin
31 Highway 287 Bypass
Toston, MT 59643

RECEIVED

JUL 01 2010

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Nowakowski, Sonja

From: Ishasta@aol.com
Sent: Tuesday, July 06, 2010 9:37 AM
To: Nowakowski, Sonja

Please choose clean energy alternatives and energy conservation.
Montana is big sky country, let's keep those big blue skies and clean water.
Lou Hegwer

Nowakowski, Sonja

From: Joe Splinter [willworkforpeace@gmail.com]
Sent: Tuesday, July 06, 2010 9:51 AM
To: Nowakowski, Sonja
Subject: Energy Policy Falls Short, More Needs to Be Done!

Dear Representatives and Senators of the Montana Legislature's Energy and Telecommunications Interim Committee,

Thank you for making a revision of the state-wide energy policy a priority in 2010. The draft policy proposed by the Committee contains some enterprising language on energy conservation and efficiency, but unfortunately the draft retains backward-looking and irresponsible language on resource extraction which will hurt Montana's land, air and water quality.

It is exciting to see the Committee recognize that energy efficiency and conservation must be the cornerstone of Montana's energy policy. Aggressive incentives must be included in our energy policy that promote and encourage consumer investments in energy efficiency - mechanisms that will carry us into a more responsible future of energy consumption in Montana. The draft energy policy contains important measures that will encourage investor-owned utilities and electric cooperatives to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency measures in their systems, and the policy advocates for a strong energy code in our buildings that works in tandem with a meaningful enforcement system. These are steps in the right direction.

Unfortunately, the draft plan also irresponsibly encourages more development and production of coal, oil, and natural gas in Montana - actions that we know will compromise our land, air, and water quality. The use of these outdated technologies for energy production will also promise a future of consumer rate hikes - **the development of new coal-fired generation will not "increase the supply of low-cost electricity" for Montana consumers.** Additionally, our energy policy should not focus on experimental projects to convert coal to electricity, produce synthetic petroleum products, methane, natural gas, or chemical feedstocks. **I believe that Montana's energy production should be focused on clean, renewable, and homegrown energy projects that build opportunities for all Montanans.**

Thank you for considering my comments to the draft energy "blueprint."

Sincerely,

Joe Splinter

937 N. 24th St.

Billings, MT 59101

406-281-3493 - cell

Nowakowski, Sonja

From: Dick Forehand [basecampimages@earthlink.net]
Sent: Tuesday, July 06, 2010 10:39 AM
To: Nowakowski, Sonja
Subject: draft energy "blueprint"

Dear Representatives and Senators of the Montana Legislature's Energy and Telecommunications Interim Committee,

Thank you for making a revision of the state-wide energy policy a priority in 2010. The draft policy proposed by the Committee contains some enterprising language on energy conservation and efficiency, but unfortunately the draft retains backward-looking and irresponsible language on resource extraction which will hurt Montana's land, air and water quality.

It is exciting to see the Committee recognize that energy efficiency and conservation must be the cornerstone of Montana's energy policy. Aggressive incentives must be included in our energy policy that promote and encourage consumer investments in energy efficiency - mechanisms that will carry us into a more responsible future of energy consumption in Montana. The draft energy policy contains important measures that will encourage investor-owned utilities and electric cooperatives to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency measures in their systems, and the policy advocates for a strong energy code in our buildings that works in tandem with a meaningful enforcement system. These are steps in the right direction.

Unfortunately, the draft plan also irresponsibly encourages more development and production of coal, oil, and natural gas in Montana - actions that we know will compromise our land, air, and water quality. The use of these outdated technologies for energy production will also promise a future of consumer rate hikes - the development of new coal-fired generation will not "increase the supply of low-cost electricity" for Montana consumers. Additionally, our energy policy should not focus on experimental projects to convert coal to electricity, produce synthetic petroleum products, methane, natural gas, or chemical feedstocks. I believe that Montana's energy production should be focused on clean, renewable, and homegrown energy projects that build opportunities for all Montanans.

Thank you for considering my comments to the draft energy "blueprint."

Sincerely,

Dick Forehand

Box 1632

Red Lodge, MT 59068

Nowakowski, Sonja

From: jen shel [jenneric12@yahoo.com]
Sent: Tuesday, July 06, 2010 10:54 AM
To: Nowakowski, Sonja
Subject: energy policy-thanks for reading

Initially one of the preferred routes for MSTI ran 400ft from our home in South Butte. For nearly 2 years we've written letters to our county and state government officials, MT DEQ, PBS &J and letters to the editor in the MT Standard and to Northwestern energy. Within this letter we invited these people to our home to see first hand how this would affect us. We've attended the public meetings held by NW energy, asked questions time and time again w/out ever once receiving a definitive answer from NW energy (who, in our eyes is our biggest opponent as they are the backbone of MSTI). Our 2 major concerns are our lost property values and the health risks associated from EMF's generated from this line to our 4 children. Many have downplayed the EMF argument but when NW energy hands out a pamphlet on EMF's with the following quote:

“At present, the available series of studies indicated no association between EMF exposure and childhood cancers OTHER THAN LEUKEMIA.”

There is no way in hell I will take the risk, no matter how slight it may be, to my children.

Our situation is unique in that MSTI was located 100 ft on the other side of our property and yet only 400 ft from our house. We've never been approached from NW energy in how we may be compensated due to the property value we would lose from MSTI. I guess it's safe to assume we would get no compensation since its not directly on our land. How is that fair?

Since a preliminary draft has been released, MSTI does not come thru Butte and instead drops south at Pipestone. I am cautiously optimistic because we might be in the clear, however all of our concerns have simply been turned over to the people of the Jefferson Valley. MSTI still runs thru approximately 72% of private ground in Jefferson County. The exact same fight we were facing has now been dumped in the laps of honest tax paying citizens there. Please take a step back to realize what is happening here: A private company wants our government to assist them in confiscating private property for the sole purpose of corporate profit.

Not too mention the permanent damage to the scenic Bighole and Jefferson rivers. Does Montana's pristine viewshed mean nothing anymore? Montana is the last best place and people from all over come to enjoy the peace and solitude this great state offers, especially the Jefferson and Bighole river valleys.

thanks for taking the time to hear our concerns--
sincerely--
Eric and Jennifer Shelton and family.

**WESTERN MONTANA ELECTRIC
GENERATING & TRANSMISSION COOPERATIVE, INC.**

1001 SW Higgins, Panorama Park, Suite 206, Missoula, MT 59803-1340

July 6, 2010

Legislative Services Division
Attn: Ms. Sonya Nowakowski
P.O. Box 201704
Helena, Montana 59620-1704

RE: Comments on LC 6000

Dear ETIC Committee Members:

On behalf of the members of Western Montana Electric Generating and Transmission Cooperative, Inc. (WMTG&T), we offer the following comments on the initial draft of LC 6000. WMTG&T represents the interests of seven utilities in Western Montana – six rural electric cooperatives and a tribal contractor to the federal government. Together, these utilities serve over 100,000 consumer/members in Western Montana.

We have participated in the Energy and Telecommunications Interim Committee's (the ETIC's or the Committee's) process throughout the year. We have a deep and abiding interest in the proposals that have come before the Committee this year particularly as it applies to renewable portfolio standards and energy efficiency. The following comments pertain specifically to the draft legislation LC 6000 and deal with both the renewable portfolio standard and energy efficiency.

Renewable Portfolio Standards

A portion of LC 6000 contains the following as a proposed amendment to Section 90-4-1001 of state statute:

“(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2002 are strengthened to 20% by 2020 and 25% by 2025 and that the Montana Renewable Power Production and Rural Economic Development Act *applies broadly to Montana's many energy utilities;*” (Emphasis added.)

This language proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to “...Montana's many energy utilities.”

Although we do not believe that the Committee intended to include rural electric cooperatives in this policy statement, it could easily be interpreted that way.

We urge that this statement be deleted for the following reasons:

- Electric cooperatives were deliberately not placed under the state's RPS when this legislation was being debated in Legislature in 2005. The idea of putting the cooperatives under this mandate was expressly rejected because of concerns that it represented a significant loss of local control for the states' consumer-owned electric utilities. The consensus was that removal of local control – a longstanding principle historically honored and repeatedly upheld by the Legislature – was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.
- Under the states' RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over the final decision-making on the purchase of alternative energy.
- Placing the electric cooperatives directly under the state RPS mandate will result in significant rate increases.

This latter concern results from the impact of an RPS on existing cooperative power supply portfolios. These existing portfolios consist of between 25 to nearly 100 percent renewable energy in the form of hydroelectric generation. This cost-based, almost fully depreciated power is purchased at below current market rates under long-term contracts. The RPS would mandate that cooperatives buy a certain portion of their power from other sources and could force some cooperatives to give up this low-cost electricity for more expensive alternate renewable energy supplies. By any reasonable estimation, the costs of these new renewable power sources are double or even quadruple the cost of the cooperatives' current sources of renewable hydropower.

- Voluntarily, Montana's electric cooperatives are already working to advance alternative renewable energy use.

For example, many Montana electric cooperatives are members of Basin Electric Power Cooperative, which will this year reach alternative renewable energy use equivalent to 20 percent of its power generation capacity.

- Virtually all Montana electric cooperatives offer one or more of the following in the way of supporting alternative renewable energy: Collective purchase of green power by cooperative members at their option, or the collective purchase of renewable energy credits by the cooperative that represent an investment in renewable energy development.

The proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do every thing they can to promote renewable energy development in Montana and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Energy Code Enforcement

Sections (aa), (bb), and (cc) all focus on energy code enforcement in Montana. They read as follows:

(aa) promote a strong energy code to ensure that all homeowners and business owners experience the economic benefits of energy efficiency and conservation;

(bb) advocate for an energy code that works in tandem with an enforcement system that is unique to Montana and that recognizes tribal sovereignty, local government authority, and existing self-certification program; and

(cc) encourage the appropriate state agencies, local government entities, and stakeholders to work together and review the existing enforcement system in Montana and recommend changes if necessary.

While these statements are a good start, they need to be much stronger, especially in the area of energy code enforcement.

Montana has a good energy code and it was just recently updated. This updated code could reduce the need for additional new generation and could provide huge savings to ratepayers, but only if it is actually enforced. As the Committee heard in testimony from the state last December, energy code in Montana is essentially voluntary. Only four jurisdictions actually enforce the energy codes locally, with the rest of the state left to the state inspectors. As the testimony indicated, code enforcement is spotty at best and too many new Montana homes do not meet the energy code.

Several things happen when a new home is built below the energy code. First, the homeowner is billed for the higher usage and may have trouble paying their bill. Second, all other customers of that utility experience higher costs because the utility must seek additional power supplies at higher cost than they are paying for their existing supplies. The utility and its consumers or the homeowner will eventually pay for weatherizing the new home. While this effort can capture some of the savings that should have been built into the home originally, some measures such as slab insulation can never be recovered.

We urge the Committee to adopt much stronger language encouraging the Legislature to enforce Montana's existing energy code. There are several different ways to deal with enforcement:

- Builders who certify that a home is built to code but which is not actually code-compliant could be subject to penalties under fraud statutes brought by the original homeowner if the claim were made within 12 months after the homeowner takes possession.

- If there is fraud, homeowners could be afforded some recourse to compensate for their higher energy costs.
- Require inspections of a certain percentage of buildings a contractor builds and then keep a list of contractors and how they do on the inspections. This would allow the public to check and see how well the builders they are considering have met the energy code in the past.
- Montana could require energy efficiency inspections only in counties that meet a certain density level. For example, if counties with 1.5 persons per square mile or less were exempt from requiring inspections for energy efficiency, 18 counties would be excluded but only 4.3 percent of the state's population would not be covered.

The single biggest role the state could play in increasing energy efficiency would be to require greater building code enforcement. Montana requires inspections for electrical, gas, water and sewer systems. Energy efficiency is no less important and should be accorded the same level of emphasis.

The members of Western Montana G&T appreciate the opportunity to comment on LC 6000. Please contact us if you have any questions.

Regards,

A handwritten signature in blue ink that reads "William K. Drummond". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

William K. Drummond
Manager

Nowakowski, Sonja

From: Ted See [seefarms@nemontel.net]
Sent: Tuesday, July 06, 2010 1:30 PM
To: Nowakowski, Sonja
Subject: letter from Norval user, Opheim

Ted & Karen See
P. O. Box 285
Opheim, MT 59250
406 762 3354

Dear ETIC Committee Members:

Thank you for the opportunity to comment on a series of draft energy policy statements that have been incorporated into a study report and two pieces of draft legislation. These were agreed to by the committee on May 13, 2010.

We are writing to comment on draft legislation, LC 6000, which contains the following provision as a proposed amendment to Section 90-4-1001 of state statute:

"! promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2020 and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities," (Emphasis added.)

This legislation proposes to establish as formal state policy that the Montana Power Production and Rural Economic Development Act must apply to "... Montana's many energy utilities." Although it is our estimation that the committee did not intend to include co-ops in this policy statement, nonetheless it could easily be interpreted that way.

We respectfully urge this statement be deleted for the following reasons:

* Electric co-ops were deliberately not directly placed under the state's Renewable Portfolio Standard when this legislation was being debated by the Legislature in 2005. The idea of putting the co-ops directly under this mandate was rejected because of concerns that it represented a significant loss of local control for the state's consumer-owned electric utilities.

The consensus was that removal of local control -- a longstanding principle historically honored and repeatedly upheld by the Legislature -- was harmful and unnecessary for the nearly 400,000 Montanans served by electric cooperatives.

* Under the state's RPS statute, Montana's larger electric cooperatives (those with 5,000 or more meters) are required to consider an RPS but retain local control over final decision-making on the purchase of alternative renewable energy.

* Placing the electric co-ops directly under the state RPS mandate will result in significant rate increases.

This is largely because of how it impacts co-ops' existing power supply portfolios, which consist of from 25 to nearly 100 percent renewable energy in the form of hydropower. This cost-based, fully-depreciated electricity is purchased at below-market prices under long-term contracts. Directly mandating -- as would happen under the state RPS -- that co-ops buy a certain portion of their power from other sources would force co-ops across the state to give up this low-cost electricity for alternative renewable energy supplies at much higher rates. By anyone's reasonable estimation, these rates would be double or even quadruple the cost of the co-ops' current source of renewable hydropower.

* Voluntarily, Montana's electric cooperatives are working to advance alternative renewable energy use.

For example, many of our electric cooperatives are part owners of Basin Electric Power Cooperative, which this year will reach alternative renewable energy use equivalent to 20 percent of its capacity power generation.

* Virtually all Montana electric cooperatives offer one or more of the following in the way of support for alternative renewable energy: Collective purchase of green power by the co-op that is incorporated into member rates, the option of directly renewable energy purchases by co-op members at their discretion, or the collective purchase of renewable energy credits by the co-op that represent an investment in renewable energy development.

In closing, the proposed change in Montana's energy policy cited above is neither necessary nor helpful. Montana's electric cooperatives desire to do everything they can to promote renewable energy development in Montana, and, as shown, are voluntarily and actively engaged in this effort. However, as consumer-owned, not-for-profit utilities, we must remain focused on our primary mission of delivering affordable, reliable electricity to our customers.

Your decision to delete the problematic statement we have cited would help reinforce the importance of letting local co-ops retain local control over decisions on energy purchases.

Thank you for your kind consideration of our comments.

Best regards,

Ted & Karen See
Opheim, Montana

(Norval customer
Northern Electric and Valley Electric combined)

PS My father's cousin, Resner Blikken, was instrumental in getting electricity into Opheim. We are living in the house he and Ella Blikken built as the first house to have electricity in this area in 1963 (I think that was the year).
by Karen (Blikken) See

Nowakowski, Sonja

From: Norman A. Bishop [nabishop@q.com]
Sent: Tuesday, July 06, 2010 2:09 PM
To: Nowakowski, Sonja
Subject: Comments on state-wide energy policy blueprint

Dear Representatives and Senators of the Montana Legislature's Energy and Telecommunications Interim Committee,

Thank you for making a revision of the state-wide energy policy a priority in 2010. The draft policy proposed by the Committee contains some enterprising language on energy conservation and efficiency, but unfortunately the draft retains backward-looking and irresponsible language on resource extraction which will hurt Montana's land, air and water quality.

It is exciting to see the Committee recognize that energy efficiency and conservation must be the cornerstone of Montana's energy policy. Aggressive incentives must be included in our energy policy that promote and encourage consumer investments in energy efficiency - mechanisms that will carry us into a more responsible future of energy consumption in Montana. The draft energy policy contains important measures that will encourage investor-owned utilities and electric cooperatives to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency measures in their systems, and the policy advocates for a strong energy code in our buildings that works in tandem with a meaningful enforcement system. These are steps in the right direction.

Unfortunately, the draft plan also irresponsibly encourages more development and production of coal, oil, and natural gas in Montana - actions that we know will compromise our land, air, and water quality. The use of these outdated technologies for energy production will also promise a future of consumer rate hikes - the development of new coal-fired generation will not "increase the supply of low-cost electricity" for Montana consumers. Additionally, our energy policy should not focus on experimental projects to convert coal to electricity, produce synthetic petroleum products, methane, natural gas, or chemical feedstocks. I believe that Montana's energy production should be focused on clean, renewable, and homegrown energy projects that build opportunities for all Montanans.

Thank you for considering my comments to the draft energy "blueprint."

Norman A. Bishop

4898 Itana Circle

Bozeman, MT 59715

Nowakowski, Sonja

From: Prairie Home Inspection [phi@bmt.net]
Sent: Tuesday, July 06, 2010 4:50 PM
To: Nowakowski, Sonja
Cc: Prairie Home Inspection
Subject: Energy policy
Attachments: Prairie Home Inspection.vcf

Energy and Telecommunications Interim Committee,

I am writing to express my concern and displeasure with the MSTI project. As a small family farmer, I fear for the loss of agricultural lands whether mine or my neighbors. As a parent I am concerned about my health and the health of my daughters, my livestock's health and the impact that this ill planned project will have on Montana's wildlife as a whole.

As someone who is heavily tied to the Real estate industry I cannot imagine the negative impact this project will have on future land sales in Southwest Montana. As a home inspector I have interacted with many buyers who specifically bought land or homes in this area due to its scenic beauty as well as the climate. It should be noted that much of the income into this area is actually "transfer" money from dividends and pensions.

Will we now lose this income for builders, tax revenue and service providers?

As a hunter I can well imagine the impact this project will have on migration routes of elk, antelope and other species. Not to mention the long term health effects on birds and smaller mammals. Twice a year this area is bolstered from money spent by fishermen and hunters as the seasons open. Once this project is complete will we see this money? Or will we have been forgotten as the fishermen and hunters go elsewhere?

The visual impact of the towers alone will turn some people away.

As one who owns a commercial building in Butte and I am well aware of the cost of natural gas and electricity.

As one who has spent many years in the building industry and who believes strongly in alternative energy sources, is this really GREEN? We don't even have the capacity to produce this power yet, And when we do why will the power have to leave this state?

Since when does the power company have the right to take my land or my neighbors land? Isn't it time we stopped bowing down to the corporate dollar?

Green and sustainable practices are based on the belief that products are produced and USED locally. Why should we suffer higher utility bills so that other states can have air conditioning and neon lights which pollute the night sky.

It's time to stop exporting Montana's resources at Montanans expense whether monetarily, health or aesthetically.

J.E. Hollifield
2135 Bond Road

Dillon Montana, 59725

Nowakowski, Sonja

From: Rob Thomas [r_thomas@umwestern.edu]
Sent: Tuesday, July 06, 2010 6:19 PM
To: Nowakowski, Sonja
Subject: Energy Policy

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MSTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.

13. Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- *"We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public."*
2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*
3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*
4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. *Montana Law: MCA 70-30-110: "Survey and location of property to be taken – greatest public good."*
5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. *Montana Law: MCA 90-4-1001 "promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS"*

Sincerely,

Robert C. Thomas

324 S. Washington St.

Dillon, MT 59725

Nowakowski, Sonja

From: Charles Miller [montanavigilante@gmail.com]
Sent: Tuesday, July 06, 2010 6:59 PM
To: Nowakowski, Sonja
Subject: MSTI 500 kW line

My name is Charles Miller, and I live in Virginia City in Madison County, Montana. As most Montanans, I have great respect for the ranchers and farmers here in southwest Montana, and also a great admiration for their predecessors and the history of this special place. The proposed route of this transmission line from Pipestone running south through the upper Jefferson and the Beaverhead and Ruby Valleys should not be approved for the following reasons:

#1 - The most historic range land in Montana is the land on the south and east sides of McCartney Mountain. In the 1850s, Captain Richard Grant and his sons Johnny and James started driving stock north from southern Idaho to winter in the foothills and river bottoms on the south and east side of McCartney Mountain. These were the first cattle in Montana. In 1856, Robert Dempsey, John Jacobs, Robert Hereford, and Jacob Meeks drove 600 head of cattle and horses into Montana and they wintered with the Grants on the lower Ruby River. When Granville and James Stewart first came to Montana in 1858, the Grants and Jacobs had herds of several hundred cattle and horses. These were the first cattle men of Montana, and the ground just north of the Hogback Ridge and surrounding McCartney Mountain was the first true range land in the State. The ranchers who continue to graze their livestock on this ground, and their predecessors, have cared for this ground for 150 years. The proposed route runs right through the heart of this country.

#2 - If this alternate route from Whitehall south to Apex is approved, power lines will now be within sight of many more miles of our rivers than any of the other routes proposed. The other routes proposed are visible from the lower Jefferson River for about 10 miles (Cardwell to Whitehall), about 15 miles of the Big Hole River along the Interstate 15 routes (Divide to Glen), and about 15 miles on the upper Beaverhead River (Dillon to Clark Canyon). This proposed route between Whitehall/Pipestone to Apex would be visible from about 10 miles of the lower Ruby River, plus an additional 25 miles of the lower Beaverhead River, plus 20 miles of the lower Big Hole River, plus 25 miles of the upper Jefferson River.

#3 - The proposed route would also be a backdrop to Beaverhead Rock and run along the entire length of the Hogback Ridge, both two of the more prominent and historical geographic features in southwest Montana.

If a part of the purpose of this review is to determine an appropriate route for this transmission line, then this proposed route should be dismissed for these reasons.

Respectfully yours,

Charles Miller

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Nowakowski, Sonja

From: Olivia Stockman [olivia@northernplains.org]
Sent: Tuesday, July 06, 2010 7:30 PM
To: Nowakowski, Sonja
Subject: Draft Energy Policy Comments

Dear Representatives and Senators of the Montana Legislature's Energy and Telecommunications Interim Committee,

Thank you for making a revision of the state-wide energy policy a priority in 2010. The draft policy proposed by the Committee contains some enterprising language on energy conservation and efficiency, but unfortunately the draft retains backward-looking and irresponsible language on resource extraction which will hurt Montana's land, air and water quality.

It is exciting to see the Committee recognize that energy efficiency and conservation must be the cornerstone of Montana's energy policy. Aggressive incentives must be included in our energy policy that promote and encourage consumer investments in energy efficiency - mechanisms that will carry us into a more responsible future of energy consumption in Montana. The draft energy policy contains important measures that will encourage investor-owned utilities and electric cooperatives to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency measures in their systems, and the policy advocates for a strong energy code in our buildings that works in tandem with a meaningful enforcement system. These are steps in the right direction.

Unfortunately, the draft plan also irresponsibly encourages more development and production of coal, oil, and natural gas in Montana - actions that we know will compromise our land, air, and water quality. The use of these outdated technologies for energy production will also promise a future of consumer rate hikes - the development of new coal-fired generation will not "increase the supply of low-cost electricity" for Montana consumers. Additionally, our energy policy should not focus on experimental projects to convert coal to electricity, produce synthetic petroleum products, methane, natural gas, or chemical feedstocks. I believe that Montana's energy production should be focused on clean, renewable, and homegrown energy projects that build opportunities for all Montanans.

Thank you for considering my comments to the draft energy "blueprint."

Sincerely,

Olivia Stockman

Director of Organizing and Campaigns
Northern Plains Resource Council
220 South 27th Street, Suite A
Billings, MT 59101
Phone: 406.248.1154 x110
Fax: 406.248.2110
olivia@northernplains.org
www.northernplains.org

Northern Plains Resource Council is a grassroots conservation and family agriculture group. We organize Montana citizens to protect our water quality, family farms and ranches, and unique quality of life. **If you aren't a member, you should join!**

Nowakowski, Sonja

From: Katie Rompala [krstull@gmail.com]
Sent: Tuesday, July 06, 2010 7:34 PM
To: Nowakowski, Sonja
Cc: Kevin Rompala
Subject: Energy Policy

We are citizens of Beaverhead County and are concerned about NorthWestern Energy's proposed MSTI line. These are our concerns:

- The line will cost about a billion dollars and it's feared that funds will come from federal tax sources.
- NWE is legally allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
- No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
- Importantly, Montanans will have *no access* to this energy. It is destined for AZ, NV and CA, states that have in-state energy options.
- There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions. They also have access to *true renewable energy options* in-state.
- NWE claims it is a renewable energy line derived from wind sources, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently *pulled their proposals*.
- NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets they are hoping to sell to.
- The MSTI line will result in a *permanent* loss of the open and scenic landscape that southwest Montanan residents treasure and wish to pass on to future generations.
- There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
- NWE admits on their website the detrimental health effects that come from the Electromagnetic Fields (EMF's), such as childhood leukemia.
- NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.
- Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
- Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

- Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"
- Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*
- The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*
- When sitting on private lands for these export transmission lines is a necessity, eminent domain should not be used. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. *Montana Law: MCA 70-30-110: "Survey and location of property to be taken – greatest public good."*
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Sincerely,

Katie and Kevin Rompala
Dillon, MT

Nowakowski, Sonja

From: Jinny Sisson [j_sisson@netzero.com]
Sent: Tuesday, July 06, 2010 8:46 PM
To: Nowakowski, Sonja
Subject: Concerns about MSTI

I am writing as a concerned citizen of that uses Beaverhead County for teaching geology students. I am concerned about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars which is much too much.
2. NWE says it is a wind-energy line, but my understanding is that it is directly tied to coal energy from Colstrip.
3. This energy is destined for AZ, NV and CA, states that already have ample wind energy located close to its source. Too much energy will be lost in transmission.
4. The MSTI line will result in a permanent loss of the open and scenic landscape that our students who visit the region treasure. I continually hear from students about the wonderful experiences they had in your region. This is one of the highlights of their geology field education.
5. NWE admits on their website health effects from the Electromagnetic Fields (EMF's). I do not want to expose our students to this danger.
6. The ranchers whose land we access have said that NWE has been working on MSTI without notification and consideration to local landowners and residents.

Sincerely,

Dr. Virginia B. Sisson
Director, UH/YBRA field geology course
University of Houston
Houston TX 77204

T P Cobb
P O Box 685
Twin Bridges, Montana 59754

July 5, 2010

Members of the Energy and Telecommunications Interim Committee
Legislative Services Division, Attn. Sonja Nowakowski
P.O. Box 201704
Helena, MT 59620-1704

Re: Energy Policy

Dear Legislative Members:

The blinding urgency to export “green” energy, the irresponsible disgorgement of stimulus monies and the momentum of political agendas have left the Montana taxpayers and rate payers at a loss. Who is watching the store on behalf of the citizens of Montana?

The residents of Madison County were thrown for a loop this past month. After years of being told at Commissioner Meetings, community forums, and through advertizing that the Mountain States Transmission Intertie (MSTI) 500 Kv lines were being routed down the Interstate 15 utility corridor, a phone call took place and the route jumped to the untouched, pristine valley of the Jefferson and lower Big Hole. Our State’s Department of Environmental Quality still shows on its web site (<http://deq.mt.gov/mfs/msti/mstiindex.mcp>), what was disseminated to the eleven people who attended the only information meeting held in Twin Bridges in January. As one further researches the obfuscation of the veiled truths of promotion, the feigned urgency to release the BLM’s preliminary environmental impact statement, and cynical humor echoing through the halls in Helena “ I bet we can get this ten year DEQ permit issued before the Madison County Folks wake up”.

Before the reader laments “too bad what happened to Madison County”, the foo foo dust storm is not localized in Southwest Montana. Energy Promotion and Development Division of the State’s Department of Commerce (<http://commerce.mt.gov/energy/default.mcp>) has been utilizing your tax dollars to promote marginally backed projects totaling in the billions of dollars. Funded with \$161 million of your tax stimulus dollars a private Calgary company owns a subsidiary called Montana Alberta Tie Ltd (MATL). I refer the reader to (<http://www.matl.ca>) and to the paper linked as US funding in place, as well as the 23 cent per share public offering used to shore up the structure. Are penny stock offerings a risk?

Other members of the three legged stool, comprise of a Bozeman start-up company promoting a three billion dollars solar collection grid, and a utility that emerged from its own bankruptcy following its predecessor that vaporized billions from Montanan’s retirement savings accounts.

Is this the best that we could do? I thought that TARP had salvaged the excesses of Wall Street, no maybe it could pull another MPC on those bumpkins again.

The MATL, MSTI and Chinook transmission line projects all extol the virtues of transporting green energy. There is not enough wind generation capacity even planned to fill the MSTI line. Yet all will be tied to the three billion dollar collector system. Just in case, the system's variability will be supplemented by twin 500 Kv lines between Colstrip and Townsend. Montana ratepayers are being setup to bail out a very expensive spider web of wind energy. Wind energy is twice as expensive as hydro, nuclear, geothermal, coal and even natural gas. Since 1963 Washington State ratepayers have been digging themselves out of Washington Public Power Supply System Bond (WPPSS aka *Whoops*). Might there be a lesson there?

The MSTI line is projected to cost over one billion dollars. What company is going to double its outstanding debt for one project? Without take or pay or through put contracts to support a project financing, one must speculate that NWE is planning to sell the ten year DEQ permit to another company. Wouldn't the Committee like to know who that is? Are they financially responsible? Are they relying on the ratepayers to bail them out? Is ten years too long?

Shuffling the EIS burden on the BLM, failing to consult with local governments and affected citizenry, NWE/BLM decided to change the preferred route to down the pristine Jefferson River Valley. That was a mere three weeks ago. It is not a Utility Corridor as defined by Federal Statute. Are you to beginning to wonder what is really going on as are the Madison County Commission? It is a sad commentary that the only way Helena will respond to inquiries is through the court system.

With respect to energy policy, the Public Services Commission should weigh in on these transmission lines before they are built. Any permit should not be a ten year transferable license. Rate payers are entitled to know up front who they are relying on. Lastly, public meetings to inform the affected citizenry should include a check list of content which must be disclosed. The meet and greet, question dodge ball sessions should not count.

Am I against MSTI, I do not know, nor does anyone else in Jefferson, Madison, and Beaverhead Counties. We're highly suspicious. The opacity of the process, the new legislative initiation to have the rate payers pick up more capitalized cost, the government's arrogance toward the affected citizens, have the rate payers walking the plank. This entire process makes one wonder whether government has lost sight of its responsibilities to its constituencies. Would not it be a sad legacy to leave to our grandchildren, who were now saddled with paying for a landscape of eighteen story structures, that their forefathers made decisions to transport power to states to the south that did not need it? WHOOPS!

Respectfully submitted,

TP Cobb

July 6, 2010

Dear Energy and Telecommunications Committee of the Montana Legislature:

I am submitting comments on the revisions to the state-wide energy policy, the 2010 draft energy “blueprint.” I much appreciate the fact that the legislature made this a priority for 2010. I am pleased that the plan contains some excellent language concerning energy conservation and efficiency. However, I am dismayed to see that the plan also encourages more development and production of carbon-based energy.

On February 10 of this year, the Northwest Power and Conservation Council (serving Oregon, Washington, Idaho, and Montana) stated that 85% of the new demand for electricity in the next 20 years can be met through improved efficiency and conservation, with additional wind power development and natural gas making up the difference. No new coal plants will be needed.

The entire world is focused on transitioning from a carbon-based energy system. Montana can and should be leading the way with alternative-energy solutions and doing all that we can to protect and preserve our functional, intact landscapes that are economically and biologically productive.

Global climate change is real – and the burning of coal is a significant contributor to that change. Climate change has already come to Montana – our average summer and winter temperatures have already risen and our average mountain snowpack is already declining. These changes affect every Montanan. There is less precipitation and snowmelt runoff to replenish our aquifers, fill our reservoirs, irrigate our crops, and keep our streams flowing in late summer. The lack of severe cold temperatures has allowed pests like the pine bark beetle to flourish and to ravage our forests, which will eventually result in devastating forest fires. The fire season is already lasting longer, and fires are larger and more intense. Grasslands are less productive for lack of moisture, impacting grazing cattle and wildlife.

I encourage the Committee to revise this draft “blueprint” to prioritize energy efficiency and focus more on an energy policy that promotes, encourages, and incentivizes clean, renewable, sustainable, local, and zero- or low-carbon energy sources.

Thank you for considering my comments.

Sincerely,

Beth Kaeding
669 Stonegate Drive
Bozeman, Montana 59715

Nowakowski, Sonja

From: David Scrimm [mtjudge06@yahoo.com]
Sent: Tuesday, July 06, 2010 9:31 PM
To: Nowakowski, Sonja
Subject: Montana's Energy Policy

Dear Ms. Nowakowski:

I have been a proponent of energy conservation for many years, with a special interest in increasing the energy efficiency of state government and our homes. I was pleased to see that increased energy efficiency is an important part of Montana's energy blueprint. I hope the final draft will continue to focus on efficiency and conservation.

I am, however, concerned that the plan focuses too much on further development of greenhouse gas producing old energy. While I realize that Montana has huge coal resources and that coal will be a part of America's energy production while we wean ourselves off of such technology and onto renewables, the plan focuses on more development of coal and less on renewables. This equation must be reversed in the final plan. Montana's wind resource rivals or exceeds its coal resources without the terrible cost to our world. Making wind energy a bigger focus of the plan will encourage wind energy development in Montana and lead this state and our nation to a cleaner, healthier and more economically robust future.

Thank you for the opportunity to submit my comments and I hope and expect that the final policy will reflect them.

Best regards,

David Scrimm, President
Montanans for an Energy Efficient Tomorrow

Nowakowski, Sonja

From: Sue Dickenson [suedickenson@yahoo.com]
Sent: Tuesday, July 06, 2010 9:37 PM
To: Nowakowski, Sonja
Subject: Energy Blueprint comments

Dear Energy and Telecommunications Interim committee---thank you for your hardwork on the energy blueprint for Montana. It certainly is a complex process. I applaud your support for energy conservation and efficiency---that, indeed, is the First Fuel. Any incentives for alternative energy development is right on target for responsible and sustainable energy development, keeping in mind the very real national security and health concerns if we continue to rely on fossil fuels.

I do not agree that increased coal production and use is responsible energy policy. Though there are dollars to be made by some sectors of our economy, overall it is an outdated energy source and technology still cannot make this substance "clean." Cleaner than in the past, but not "clean." Other processes to turn coal or petroleum into other energy forms is energy intensive in itself and further contributes to greenhouse gases, something Montana does not need to do! Just as we moved from horsedrawn transportation in the past, we need to move beyond fossil fuels and those whose jobs depend on this outdated energy source need to move on to other areas. Environmental cleanup jobs are great opportunities for heavy equipment operators and other industrial workers, and the alternative energy field offers numerous opportunities.

Thank you for developing a specific and longterm energy blueprint. It is way overdue in this state to give us concrete objectives and vision. Keep up the good work.

Regards, Rep. Sue Dickenson

Nowakowski, Sonja

From: Susan Newell [snewell@imt.net]
Sent: Tuesday, July 06, 2010 9:43 PM
To: Nowakowski, Sonja
Subject: Clean Energy

To the Energy Interim Committee:

It's time for Montana to stand up for clean energy. What is it our Constitution says?

We the people of Montana grateful to God for the quiet beauty of our state, the grandeur of our mountains, the vastness of our rolling plains, and desiring to improve the quality of life, equality of opportunity and to secure the blessings of liberty for this and future generations do ordain and establish this constitution.

Please create and support an energy policy which will

- Denote energy efficiency as the cornerstone of Montana's energy policy;
- Encourage investor-owned utilities and electric cooperatives to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency on their systems,
- Advocate for a strong energy code for buildings that works in tandem with an enforcement system, and
- Expand energy efficiency incentives to promote and encourage consumer investment in energy efficiency.
Say no to increasing fossil fuel use which:
-
- Encourages more coal development, (there is so such thing as clean coal)
- Promotes projects that convert coal to electricity, synthetic petroleum products, methane, natural gas, and chemical feedstock and increases natural gas exploration and development.
- **SAY YES TO RENEWABLE ENERGY SUCH AS SUN AND WIND.**

An "energy blueprint" should direct Montana towards energy independence - with increased energy efficiency and clean, affordable, renewable energy development.

Susan W Newell

2928 West MacDonald

Billings, MT

Nowakowski, Sonja

From: Pat Simmons [psimmons@imt.net]
Sent: Tuesday, July 06, 2010 10:02 PM
To: Nowakowski, Sonja
Subject: Montana Energy Policy

I'm glad you are emphasizing energy conservation - that is the cheapest, easiest, fastest method of saving energy, and reducing carbon. Improve the building codes even more!

But I'm very disappointed that any expansion of coal is being recommended! Are you back in the 20th century! Don't you understand Global Warming as evidenced by our own Glacier Park's reduction in glaciers. Each year is warmer on the planet even if it isn't right here in Montana. Don't you have a responsibility to take care of the Earth and stop doing the same old methods just because it may be "cheaper" and "easier"? Coal does not pay the full costs of providing it - the health costs for our citizens, the environmental degradation, making our precious Earth uglier, increasing carbon in the atmosphere, etc.

Why aren't we putting money into solar, wind, thermal, biomass, after energy conservation. We could be putting tons of people to work insulating houses, changing out windows, etc. and then into factories building solar and wind components.

Governor Schwietzer is leading us down the wrong path along with his cronies and the Republican Party. We need some leadership and someone who cares about the citizens of Montana and the Earth!

Pat Simmons
1123 Woodland Drive
Bozeman, MT 59718

Nowakowski, Sonja

From: TC Mitchell [tcmitchell@bmt.net]
Sent: Tuesday, July 06, 2010 10:06 PM
To: Nowakowski, Sonja
Subject: Fw: Energy Policy Letter
Attachments: Energy Policy.doc

Please consider what this utility line will do to the families that live and work along these proposed routes. It is interesting to me that the government wanted thousands of acres of the Beaverhead Forest to keep as wilderness and now they want to force us to provide a route through our county for something that we will not benefit from.

Cody and Tom Mitchell
1500 Old Stage Rd
Dillon, Mt.

----- Original Message -----

From: "Rob Thomas" <rcthomas62@gmail.com>
To: <r_clark@hotdawg.umwestern.edu>; <millerm@uoregon.edu>; <bschwartz@allegheny.edu>; <marc.hendrix@mso.umt.edu>; <Ed.Walter@sungardhe.com>; <corybirk@gmail.com>; <butler6345@yahoo.com>; <ross@bestofthewestproperties.com>; <feelyranch@aol.com>; <j_sisson@netzero.com>; <mbtelling@gmail.com>; <clswager@3rivers.net>; <blu@3rivers.net>; <rdorsey@uoregon.edu>; <weaver@3rivers.net>; <c_zaspel@umwestern.edu>; <tp_cobb@yahoo.com>; <annelieseearipley@gmail.com>; <l_straus@hotdawg.umwestern.edu>; <letsrnch@3rivers.net>; <g_coxumw@yahoo.com>; <mikeb@greatharvest.com>; <sandpaul@3rivers.net>; <kathreed@3rivers.net>; <beth_sullivan@patagonia.com>; <david@montaqua.com>; <b_dwyer@umwestern.edu>; <j_brodigan@hotdawg.umwestern.edu>; <tendoy@aol.com>; <whgeol@gmail.com>; <ehdillon@gmail.com>; <schendel@mtweb.net>; <krstull@gmail.com>; <robertfoster51@hotmail.com>; <i_cohen@hotdawg.umwestern.edu>; <tlgarrsn@3rivers.net>; <RNELSON4@stx.rr.com>; <montanavigilante@gmail.com>; <Raffety@3riversdbs.net>; <kbbru@3riversdbs.net>; <ehammer@dishmail.net>; <dhahnkamp@dillonelem.k12.mt.us>; <jcvpsc@gmail.com>; <brian@bpilcher.com>; <dustinanderson4@gmail.com>; <kjomontana@gmail.com>; <j_xant@umwestern.edu>; <s_juran@hotdawg.umwestern.edu>; <ojfamily@bmt.net>; <emgward@gmail.com>; <csbruja@gmail.com>; <oj@bmt.net>; <donwinston31@gmail.com>; <buckb@unlv.nevada.edu>; <mnicholas@statebank-dillon.com>; <chadjwilliams@hotmail.com>; <davidnolt@gmail.com>; <smatco@bmt.net>; <s_roberts@hotdawg.umwestern.edu>; <dunsmore@bigsky.net>; <richard.nelson@sabioproducts.com>; <rogers@macalester.edu>; <jimchey@3rivers.net>; <rigibson@earthlink.net>; <griz91@bresnan.net>; <w_badgett@hotdawg.umwestern.edu>; <k_ulrich@umwestern.edu>; <frozenrope62@yahoo.com>; <hankcranesafe@yahoo.com>; <mail@move-transmission-line.ning.com>; <nlog@earthlink.net>; <i_else@hotdawg.umwestern.edu>; <lalienesch@gmail.com>; <e_wright@umwestern.edu>; <kateord@mac.com>; <discovery@montana.com>; <k_hupp@umwestern.edu>; <pullmanfamily@sbcglobal.net>; <j_kirkley@umwestern.edu>; <zshale@gmail.com>; <l_lyon@umwestern.edu>; <cquist@3riversdbs.net>; <resmith@3riversdbs.net>; <t_rennfield@hotmail.com>; <s_mock@hotdawg.umwestern.edu>; <ellisarcherynut@hotmail.com>; <r_storey@umwestern.edu>; <berts@bmt.net>; <rhalladay@belair-llc.com>; <echildrey@verizon.net>; <bentewinston39@gmail.com>; <tcmitchell@bmt.net>; <v_macpherson@hotdawg.umwestern.edu>; <d_blue@bresnan.net>; <frontieranglers@mcn.net>; <meier.jeanna@gmail.com>; <sheilajones40@yahoo.com>; <jason@45degreessouth.net>; <n_hazlbaker@umwestern.edu>; <susanvuke@gmail.com>; <v_hand@umwestern.edu>; <d_seymour@umwestern.edu>; <Ryan_Applegate@patagonia.com>; <CElliott@mttech.edu>; <e_mcintosh@umwestern.edu>; <JohnCPohl@comcast.net>; <d_henningsen@hotdawg.umwestern.edu>; <feist_t@yahoo.com>; <kevin.rompala@gmail.com>; <guccione@uark.edu>; <jfdillon4@gmail.com>; <jsandru@3rivers.net>; <Birchcreek@hotdawg.umwestern.edu>;

<rcthomas62@gmail.com>; <moosetogoose@mt.net>

Sent: Tuesday, July 06, 2010 6:34 PM

Subject: Energy Policy Letter

Friends,

Just one last e-mail from me tonight to remind you that this is our last chance to send in a comment to the state's energy committee. Below is a form letter (also attached as a Word file) put together by folks with Keep it Rural that you can e-mail as is or modify tonight and send to:

snowakowski@mt.gov. Please be sure to include "Energy Policy" in the subject line of your e-mail. If you are from another county, please be sure to change the county name throughout the letter. Thanks for all you are doing....Rob

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain - transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.

13. Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. *Public concerns and opinions disregarded*. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- “*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.”*

2. *Public not being respectfully and properly notified*. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211.

Application -- filing and contents

-- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*

3. *The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners.* Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA

75-1-103: "***The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare*."

4. *When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. * The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. Montana Law: MCA 70-30-110: "*Survey and location of property to be taken - greatest public good."*

5.* MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana*. *Montana Law: MCA 90-4-1001** ***“promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS”*

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Sincerely,

From: Debbie Hanneman [whgeol@gmail.com]
Sent: Tuesday, July 06, 2010 10:23 PM
To: Nowakowski, Sonja
Subject: Montana Energy Policy

As a member of Save Scenic Jefferson Valley Coalition, I would like to submit the following comment statement on the Montana Energy Policy:

OFFICIAL PUBLIC COMMENT to Energy and Telecommunications Interim Committee (ETIC) on proposed revisions to State of Montana Energy Policy from Save Scenic Jefferson Valley Coalition

Energy policy is influenced by extensive lobbying from well-financed corporate and environmental interests. **Save Scenic Jefferson Valley Coalition** represents communities and families with limited resources but facing profound consequences from Montana's energy policy decisions. Accordingly, we limit our official comment to two main points Montana's energy policy must address to protect communities and families while promoting Montana's economy and clean energy future.

First, public agencies such as Montana Department of Environmental Quality (DEQ) must site high-voltage export transmission lines to use public land for public benefit. With respect to the proposed Mountain States Transmission Intertie (MSTI), NorthWestern Energy and its political proponents have wrongfully targeted our towns and families with MSTI for business and political expedience. NorthWestern Energy made a business and political decision that it would be easier and cheaper to cram MSTI down the throats of communities and families than fight well-financed environmental groups over using public land routes. But it is not legal for Montana DEQ and Bureau of Land Management (BLM) to route MSTI on undesignated, unimpacted private land if an already federally designated, already impacted energy corridor is available for MSTI. State and federal law requires agencies to prefer the designated federal energy corridors on public land that taxpayers have already paid to establish. We are dismayed that the very public agencies we rely on for protection have been complicit in this strategy that harms Montana communities and families.

Second, the state's process for siting high-voltage export transmission lines through scenic and productive Montana lands must change to embody greater accounting for the damages those lines cause communities and families. Recently, DEQ reacted to justified public outrage in Butte over NWE's preferred MSTI route by creating a new route that avoids Butte but surrounds Whitehall instead with some 250 14-story structures. DEQ's disregard for Whitehall and its families is unfortunately evident from its treatment of Whitehall in the leaked draft Environmental Impact Statement (EIS) for MSTI. The word "Whitehall" does not appear on any map in the leaked draft EIS, despite the document's running to thousands of pages. Whitehall is the largest incorporated area in Montana that MSTI would run through, yet Whitehall is nowhere mentioned in the section on MSTI's "Human Impacts." We implore the ETIC to include and publish photos from the attached document with our official public comment. There is no other way to reflect the impacts that the proposed MSTI and subsequent export lines to follow will cause on the land and landscape. Allowing such facilities to target towns and families is not the legacy a Montana energy policy should leave for our children.

ETIC's decisions regarding Montana's energy policy will have profound environmental consequences upon Montana communities and families. The environmental costs of high-voltage export transmission lines must be realistically accounted for. Stewardship of Montana's land and landscape deserves "green equity" alongside laudable renewable energy goals. The legitimate interests of communities and families must be fairly represented against corporate interests.

Sincerely,
Debra Hanneman

--

Debra Hanneman, PhD
107 Whitetail Road
Whitehall, Montana 59759
406-287-5408
www.earthmaps.com

Nowakowski, Sonja

From: Elaine Mann [emann@wildblue.net]
Sent: Tuesday, July 06, 2010 10:28 PM
To: Nowakowski, Sonja
Subject: Energy Policy

July 6, 2010

Elaine Mann
290 Kimpton Upper Lane
Toston, MT 59643

Energy & Telecommunications Interim Committee
In Care of Sonja Nowakowski
PO Box 201704
Helena MT 59620-1704

Honorable Members of the Energy and Telecommunications Interim Committee,

Comments on LC6000:

- (m) urge developers to work closely (why did you leave out citizens that will be impacted by the project?) . These are the people who voted you into office but have been forgotten.
- (s) impacts to (why did you leave out an already existing economy?) (ie. agriculture) that is existing land use. Are we replacing or displacing agriculture economy with energy economy and why? We can have both, can't we?

Use section 368 of the Energy Policy Act of 2005 (Federal); so we do not have to displace agriculture.

Example; NorthWestern Energy – vs – Concerned Citizens of Broadwater County
Here the private Utility company lobbied the Legislature and had substations, facilities, collector lines, etc. removed from the MFSA. Now the CC of BC, have no recourse or safety net. Their agriculture land is being impacted by substation/collector site and collector lines. NW Energy will not have to submit to EIS or any other authority regarding our private property. The lure of money for tax from the utility company has warped our County Commissioner's views and oaths taken by Elected Officials forgotten.

It would be just as available under section 368 of the Energy Policy Act of 2005 (Federal) for NW Energy to buy a piece of Federal ground and place the substation/collector site on that site, rather than buying private ground and displacing agriculture surrounding the area with collector lines, etc..

Sincerely,

Elaine

Elaine Mann
406-266-3131
emann@wildblue.net

Nowakowski, Sonja

From: Connie Cohen [conniecohen@centurytel.net]
Sent: Tuesday, July 06, 2010 11:13 PM
To: Nowakowski, Sonja
Subject: energy

Hello Sonja Nowakowski

I would appreciate it if you would convey my preferences to the committee.

I believe that we in Montana need efficient and clean and renewable energy. We do not want money spent to develop and increase dirty energy.

Montana should encourage its citizens to invest in energy efficiency by increasing incentives.

Cordially, Connie Cohen
Whitefish MT

* ***

Nowakowski, Sonja

From: Elaine Mann [emann@wildblue.net]
Sent: Tuesday, July 06, 2010 10:42 PM
To: Nowakowski, Sonja
Subject: Energy Policy; E.Mann comments LC6001.doc

July 6, 2010

Elaine Mann
290 Kimpton Upper Lane
Toston, MT 59643

Energy & Telecommunications Interim Committee
In Care of Sonja Nowakowski
PO Box 201704
Helena MT 59620-1704

Honorable Members of the Energy and Telecommunications Interim Committee,

LC6001; Concerned Citizens of Broadwater County would like to request that you include language that protects the citizens and their private property from Utility companies. We would like you to take to task finding the true impacts from displacing or replacing agriculture in Montana. The citizens would like you to research from around the world, science that has declared adverse health effects from EMF's and other energy exposures.

Thank you for the opportunity to voice our concerns to your Committee.

Elaine Mann; Concerned Citizen of Broadwater County
406-266-3131
emann@wildblue.net

Nowakowski, Sonja

From: Hugh [montanazac@mac.com]
Sent: Tuesday, July 06, 2010 11:15 PM
To: Nowakowski, Sonja
Subject: Energy and Telecommunications Interim Committee

I'd like to encourage the Committee to emphasize energy efficiency and conservation in seeking to direct Montana's energy policy. We need long-term incentives that promote and encourage consumer investments in energy efficiency, and keep Montanans from being captive of the out-of-state corporations and their ever-increasing rates. Yes, it is worth some significant subsidies now to create a balanced and environmentally sustainable energy future for Montana. And it is important to recognize that a kilowatt saved is equal to -- and cheaper and cleaner than -- a new kilowatt that must be produced.

Thanks for the opportunity to comment.

Hugh Zackheim
315 Ming Place
Helena, MT 59601

Nowakowski, Sonja

From: Elaine Mann [emann@wildblue.net]
Sent: Wednesday, July 07, 2010 12:07 AM
To: Nowakowski, Sonja
Subject: Energy Policy E. Mann comments Draft E P 70610.doc

July 6, 2010

Elaine Mann
290 Kimpton Upper Lane
Toston, MT 59643

Energy & Telecommunications Interim Committee
In Care of Sonja Nowakowski
PO Box 201704
Helena MT 59620-1704

Honorable Members of the Energy and Telecommunications Interim Committee,

Draft Energy Policy; Montana's current energy policy, contained in 90-4-1001, MCA, simply states that it is the policy of Montana "to promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic costs and the greatest long-term benefits to Montana citizens."

The questions Concerned Citizens of Broadwater County have –

- Long term benefits to Montana citizens – have you asked us? We think that displacing/replacing our agriculture economy with energy economy is wrong. We are not against energy or renewable resources, just displacing/replacing what we already have in agriculture. These energy projects could have better placement, ask the citizens. Be forth coming, include all information not just part of a project. Do not take the easy way out and change legislation so the people have no protection or recourse.

The Department of Environmental Quality (DEQ) also was largely charged with leading research efforts and coordinating efforts with the ETIC to update the policy. SB 290 changed that process and put the ETIC wholly in charge of any revisions. SB 290 required the committee to rely on "locally available experts and staff research" and largely eliminated the role of the DEQ as the source of administrative support. As required by SB 290, the ETIC worked closely with the public and stakeholders to design this report discussing Montana's energy future and the related draft legislation.

- Is this change protecting the citizens and their private property? None of our citizens were informed by letter or notice to our property that you had changed or would be providing citizen involvement. Are we not public? Is the impact to our communities and economies not worth the attention of our Elected Officials? We do not want to hear the tax money coming to our county as an economy. Who pays that tax money? Duh!

69-3-1202, Resource Planning

(1) It is the policy of the state of Montana to supervise, regulate, and control public utilities. To the extent that it is consistent with the policy and in order to benefit society, the state encourages efficient utility operations, efficient use of utility services, and efficient rates. It is further the policy of the state to encourage utilities to acquire resources in a manner that will help ensure a clean, healthful, safe, and economically productive environment.

- Our Concerned Citizens of Broadwater County would like to know your definition of safe, healthful & economically productive? We will be losing our recreation (view of 52 - + acre substation/collector site on Hwy. 287), corridor of the Missouri River (floater, canoers, kayakers, fisherpersons). The view of our beautiful valley, or does the visual sight of our valley not matter any more. Is this all for the almighty dollar? Long term health effects of EMF's, or does that not matter either.

69-3-2002, Montana Renewable Power Production and Rural Economic Development

The Legislature finds that:

- (1) Montana is blessed with an abundance of diverse renewable energy resources;
- (2) renewable energy production promotes sustainable rural economic development by creating new jobs and stimulating business and economic activity in local communities across Montana;
- (3) increased use of renewable energy will enhance Montana's energy self-sufficiency and independence; and
- (4) fuel diversity, economic, and environmental benefits from renewable energy production accrue to the public at large, and therefore all consumers and utilities should support expanded development of these resources to meet the state's electricity demand and stabilize electricity prices.

- Be careful what you are including under this section, should we support being victimized, eliminated, and is this really to meet the state's electricity demand? Are you sure it will stabilize electricity prices? The report we have seen states "the challenge for agriculture is the rising cost of energy". We will provide this report at your request.

75-20-102, Major Facility Siting

- (1) The Legislature, mindful of its constitutional obligations under Article II, section 3, and Article IX of the Montana Constitution, has enacted the Montana Major Facility Siting Act. It is the Legislature's intent that the requirements of this chapter provide adequate remedies for the protection of the environmental life support system from degradation and provide adequate remedies to prevent unreasonable depletion and degradation of natural resources.
- (2) It is the constitutionally declared policy of this state to maintain and improve a clean and healthful environment for present and future generations, to protect the environmental life-support system from degradation and prevent unreasonable depletion and degradation of natural resources, and to provide for administration and enforcement to attain these objectives.
- (3) It is also constitutionally declared in the state of Montana that the inalienable rights of the citizens of this state include the right to pursue life's basic necessities, to enjoy and defend life and liberty, to acquire, possess, and protect property, and to seek safety, health, and happiness in all lawful ways. The balancing of these constitutional rights is necessary in order to maintain a sustainable quality of life for all Montanans.
- (4) The Legislature finds that the construction of additional electric transmission facilities, pipeline facilities, or geothermal facilities may be necessary to meet the increasing need for electricity, energy, and other products. Therefore, it is necessary to ensure that the location, construction, and operation of electric transmission facilities, pipeline facilities, or geothermal facilities are in compliance with state law and that an electric transmission facility, pipeline facility, or geothermal facility may not be constructed or operated within this state without a certificate of compliance acquired pursuant to this chapter.

- Our Concerned Citizens of Broadwater County would like to see that language is reinstated in the MFSA for protection of Montana citizens from substations/collector sites, collector lines and what else we would include from other groups of Concerned Citizens across Montana.
- We would also like to see language that the citizenry is truly notified about up coming projects and future (foreseeable) projects. Notification definition should be written by coalition of Concerned Citizens groups, not what we see in the statutes.

90-4-301, Energy Supply Emergency Powers

The Legislature finds that energy in various forms is increasingly subject to possible shortages and supply disruptions, to the point that there may be foreseen an emergency situation, and that without the ability to gather information, regularly monitor energy supplies and demand, formulate plans, and institute appropriate emergency measures to reduce or allocate the usage of energy through a program of mandatory usage curtailment or allocation, a severe impact on the health, safety, and general welfare of our state's citizens may occur. The prevention or mitigation of the effects of such energy shortages or disruptions is necessary for preservation of the public health and welfare of the citizens of this state.

- Do not try using “Emergencies” to take shortcuts on our behalf. The Concerned Citizens see this as a way for Elected Officials to undermine the statutes and disregard laws protecting the citizenry.
- The only emergencies we see is that NW Energy does not maintain their existing transmission lines. Since, the company is just coming out of (still in) Bankruptcy, they cannot afford to maintain or upgrade. During the MSTI project we see that the money has been designated for upgrade besides new construction.

Montana recognizes that there are areas of the state where large-scale, commercial, industrial wind development may not be appropriate. Developers and regulators should closely review potential impacts to landscapes, wildlife, and existing land uses, including recreation and agriculture.

- Your words, please live by them and have the utility companies live by them. Please, protect the agriculture community and their property rights.

"90-4-1003. Energy policy development process.

- Our Concerned Citizens of Broadwater County group does not like the rewrite to this statute. You have eliminated the checks and balances for the protection of the Montana citizens.

We (Concerned Citizens of Broadwater County) recommend some kind of coordination between your Committee and our coalition of Concerned groups (Stop MSTI, Save Scenic Jefferson Valley, Concerned Citizens of Broadwater Co., Bozeman group, Save Rural Dillon group, etc.) in Montana.

Thank you and please, ask us to visit with you when you meet July 28th or 29th.

Sincerely,

Elaine

Elaine Mann; Concerned Citizens of Broadwater County

406-266-3131

emann@wildblue.net

Nowakowski, Sonja

From: Zona Shea Hale [zshale@gmail.com]
Sent: Wednesday, July 07, 2010 12:50 AM
To: Nowakowski, Sonja
Subject: Opposed to MSTI and all other proposed transmission lines

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
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Sincerely,

Zona S. Hale

Nowakowski, Sonja

From: Terry Kendrick [takendrick@hotmail.com]
Sent: Wednesday, July 07, 2010 6:34 AM
To: Nowakowski, Sonja
Subject: Comments re: energy blueprint

Dear Committee members,

Please do not include further development of fossil fuels in your energy blueprint for Montana. Montana needs to invest all of its resources into clean renewable energy. Future generations will thank you for your bold action.

Terry Kendrick
takendrick@hotmail.com
406-459-9440 (cell)

Nowakowski, Sonja

From: Charyn Ayoub [charynayoub@hotmail.com]
Sent: Wednesday, July 07, 2010 7:26 AM
To: Nowakowski, Sonja
Subject: Energy Policy

Dear Representatives and Senators of the Montana Legislature's Energy and Telecommunications Interim Committee,

Thank you for making a revision of the state-wide energy policy a priority in 2010. The draft policy proposed by the Committee contains some enterprising language on energy conservation and efficiency, but unfortunately the draft retains backward-looking and irresponsible language on resource extraction which will hurt Montana's land, air and water quality.

It is exciting to see the Committee recognize that energy efficiency and conservation must be the cornerstone of Montana's energy policy. Aggressive incentives must be included in our energy policy that promote and encourage consumer investments in energy efficiency - mechanisms that will carry us into a more responsible future of energy consumption in Montana.

The draft energy policy contains important measures that will encourage investor-owned utilities and electric cooperatives to demonstrate that they are prioritizing and pursuing all cost-effective energy efficiency measures in their systems, and the policy advocates for a strong energy code in our buildings that works in tandem with a meaningful enforcement system. These are steps in the right direction.

Unfortunately, the draft plan also irresponsibly encourages more development and production of coal, oil, and natural gas in Montana - actions that we know will compromise our land, air, and water quality. The use of these outdated technologies for energy production will also promise a future of consumer rate hikes - the development of new coal-fired generation will not "increase the supply of low-cost electricity" for Montana consumers.

Additionally, our energy policy should not focus on experimental projects to convert coal to electricity, produce synthetic petroleum products, methane, natural gas, or chemical feedstocks. I believe that Montana's energy production should be focused on clean, renewable, and homegrown energy projects that build opportunities for all Montanans.

Thank you for considering my comments to the draft energy "blueprint."

Sincerely,

Charyn Ayoub
722 8th St

Helena, MT 59601

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. [Get busy.](#)

Nowakowski, Sonja

From: Doctor Mealer [doctormealer@msn.com]
Sent: Wednesday, July 07, 2010 7:32 AM
To: Nowakowski, Sonja
Subject: Energy production

Dear Policy Makers:

Please lead Montana into clean energy production with a major focus on wind and solar clean energy production. Please avoid old oil and gas production methods which can have long lasting environmental negative effects. Please be careful to avoid fast track development of unclean energy sources such as strip mining for coal and coal bed methane production. Shallow salt water pond production with coal bed methane production provides a breeding source for the mosquito which causes west Nile virus disease which kills large numbers of birds including the now rare sage grouse and kills elderly ranching families.

Sincerely,

William R. Mealer, M.D.

300 N. Willson Avenue
Suite 300-C
Bozeman, MT 59715

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Nowakowski, Sonja

From: Eric Hammer [ehammer@dishmail.net]
Sent: Wednesday, July 07, 2010 7:43 AM
To: Nowakowski, Sonja
Subject: energy policy
Attachments: Energy Policy.doc

Please, no msti for me. see attachment. thanks for your time.

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.
13. Beaverhead County ranches and farms on the route will lose grazing and

agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"
2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*
3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. Montana Law: MCA 70-30-110: "*Survey and location of property to be taken – greatest public good.*"

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. Montana Law: MCA 90-4-1001 "*promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS*"

Sincerely,

Nowakowski, Sonja

From: Jorja Hensley [jorja@mt.net]
Sent: Wednesday, July 07, 2010 7:46 AM
To: Nowakowski, Sonja
Subject: Montana State Energy Policy Comment
Attachments: header.htm

July 7, 2010

Ms. Jorja Hensley
1980 Hwy 284
Townsend, Montana 59644

Ms. Sonja Nowakowski
Legislative Services Division
P.O. Box 201704
Helena, Montana 59620-1704

Dear Ms. Nowakowski:

This letter is being sent to provide comment on Montana's proposed state energy policy (90-4-1001, MCA). Thank you for the opportunity to comment and provide additional thought to the Energy and Telecommunications Interim Committee (ETIC) of the Montana Legislature.

The Montana Major Facility Siting Act (MFSA) was created to maintain and improve a clean and healthful environment for present and future generations, to protect the environmental life support system from degradation, and to prevent unreasonable depletion and degradation of natural resources. When it was first passed, the MFSA required power plants, energy pipelines and transmission lines to show they served the public interest, public convenience, and necessity, and that energy developments were environmentally compatible.

OVER THE YEARS THE LEGISLATURES SLOWLY DISMANTLED THE ACT.

- In 1997, the legislature voted to eliminate the requirement that developers demonstrate the need for energy generation plants and show that a project is in the public interest.
- In 2001, the legislature removed power plants outright from any review and shortened the review timelines and exempted additional facilities including most pipelines.
- In 2003 and 2005, all power plants and most transmission lines, including those that are 230kV or less, and pipelines were made exempt from review.
- In 2007, substations were removed from review.

Currently, the MFSA does little to protect Montanans from large-scale industrial facilities. This major energy policy needs to be amended to include its former language in order to protect the public. It is imperative that language be included in the policy to cover substations and collector sites

irrespective of whether they are part of a larger transmission project or not so this type of facility is required to have its own Environmental Impact Study.

Sincerely,

Jorja Hensley

Nowakowski, Sonja

From: Richard Turner [frozenrope62@yahoo.com]
Sent: Wednesday, July 07, 2010 7:44 AM
To: Nowakowski, Sonja
Subject: MSTI and energy policy

I'm writing to oppose the MSTI project. I've read numerous analyses of it and, to me, it just doesn't make sense. I don't see ANY benefits to MSTI.

But I see plenty of environmental and economic problems that will be caused by the project. I moved to this part of Montana twenty-five years ago because I loved its beauty. I absolutely oppose industrializing it. There are already too many power lines. We don't need the monstrosity that NWE and powerful politicians are trying to ram down our throats.

NO to MSTI!

Richard Turner
335 S. Dakota St.
Dillon, MT 59725
683-6247

Nowakowski, Sonja

From: Ellen Pfister [epg@midrivers.com]
Sent: Wednesday, July 07, 2010 7:52 AM
To: Nowakowski, Sonja
Subject: Montana's Energy Future

Montana should not commit to becoming the boiler room of the nation with extensive coal mining. It will do so at the expense of agriculture, a renewable industry that has supported the state with its taxes far longer and with greater stability than any kind of mining. The damage that extensive coal mining will do to our underground aquifers is vast and so far has proved unpredictable in its recovery. The State approaches each incursion into our underground aquifers with its blinders on as to the over all effects of such mining. Only when the aquatic regime is so damaged that it cannot support previous uses, will the state notice what the over all effect has been. Un fortunately, the state employees who make such determinations, have probably never had to supply their own water from a hole it the ground. They think it is produced water that magically come out of a pipe from somewhere.

To pursue the dream of coal is not only to damage our water, but the breathable air for many more Americans than just Montanans. Scrubbers on power plants remove the large particulates which our bodies were designed to prevent access to our lungs, but what escapes in scrubbed air are the very fine particulates which penetrate to the very bottom of our lungs, because we do not have the physical systems to deal with fine particulates.

We as Americans have dallied for the last thirty years allowing an old fuel source to expand and increasing our investment in that source, the mining and buring of which damages the longterm productivity of our land. Some people many not like the looks of large windmills or banks of solar panels, but the aquifers under those are at least in tact and the ground around them is capable of producing food crops from relatively unaltered soils. The best energy future for Montana would be one which emphasized distributed energy generation, not centralized generation. We need to get unhooked from the idea of the BIG project, and realize there are more efficiencys with smaller projects. In addition, distributed energy generation would be by far the most effective homeland security that we could have. Montana has lots of room for solar, wind, low-head hydro, algae and other projects which could satisfy our energy need. Those should be the kinds of projects that we seek for our energy future.

Submitted by:
Ellen Pfister
P. O. Box 330
Shepherd, MT 59079

Nowakowski, Sonja

From: Don Kronenberger [kronenberger@bresnan.net]
Sent: Wednesday, July 07, 2010 7:57 AM
To: Nowakowski, Sonja
Cc: 'Debbie Hanneman'; 'Sue Pullman'
Subject: Energy Policy
Attachments: SSJVC's Official Public Comment for ETIC.pdf; Attachment - 500 kV photos.pdf

Dear Ms. Nowakowski,

Attached, please find the official comments of the *Save Scenic Jefferson Valley Coalition* on the proposed revisions to the state's energy policy. Please note the attachment with photographs which is included herewith and considered part of these comments. I will forward a hard copy of the comments executed by some members of our group by mail later today.

Sincerely,

Save Scenic Jefferson Valley Coalition
PO Box 977
Whitehall, MT 59759

by:

Don Kronenberger
5915 Hwy. 41
Whitehall, MT 59759

OFFICIAL PUBLIC COMMENT
to Energy and Telecommunications Interim Committee (ETIC)
on proposed revisions to State of Montana Energy Policy
from Save Scenic Jefferson Valley Coalition

Energy policy is influenced by extensive lobbying from well-financed corporate and environmental interests. **Save Scenic Jefferson Valley Coalition** represents communities and families with limited resources but facing profound consequences from Montana's energy policy decisions. Accordingly, we limit our official comment to two main points Montana's energy policy must address to protect communities and families while promoting Montana's economy and clean energy future.

First, public agencies such as Montana Department of Environmental Quality (DEQ) must site high-voltage export transmission lines to use public land for public benefit.

With respect to the proposed Mountain States Transmission Intertie (MSTI), NorthWestern Energy and its political proponents have wrongfully targeted our towns and families with MSTI for business and political expedience. NorthWestern Energy made a business and political decision that it would be easier and cheaper to cram MSTI down the throats of communities and families than fight well-financed environmental groups over using public land routes. But it is not legal for Montana DEQ and Bureau of Land Management (BLM) to route MSTI on undesignated, unimpacted private land if an already federally designated, already impacted energy corridor is available for MSTI. State and federal law requires agencies to prefer the designated federal energy corridors on public land that taxpayers have already paid to establish. We are dismayed that the very public agencies we rely on for protection have been complicit in this strategy that harms Montana communities and families.

Second, the state's process for siting high-voltage export transmission lines through scenic and productive Montana lands *must change* to embody greater accounting for the damages those lines cause communities and families.

Recently, DEQ reacted to justified public outrage in Butte over NWE's preferred MSTI route by creating a new route that avoids Butte but surrounds Whitehall instead with some 250 14-story structures. DEQ's disregard for Whitehall and its families is unfortunately evident from its treatment of Whitehall in the leaked draft Environmental Impact Statement (EIS) for MSTI. The word "Whitehall" does not appear on any map in the leaked draft EIS, despite the document's running to thousands of pages. Whitehall is the largest incorporated area in Montana that MSTI would run through, yet Whitehall is nowhere mentioned in the section on MSTI's "Human Impacts."

We implore the ETIC to include and publish photos from the attached document with our official public comment. There is no other way to reflect the impacts that the proposed MSTI and subsequent export lines to follow will cause on the land and landscape. Allowing such facilities to target towns and families is not the legacy a Montana energy policy should leave for our children.

ETIC's decisions regarding Montana's energy policy will have profound environmental consequences upon Montana communities and families. The environmental costs of high-voltage export transmission lines must be realistically accounted for. Stewardship of Montana's land and landscape deserves "green equity" alongside laudable renewable energy goals. The legitimate interests of communities and families must be fairly represented against corporate interests.

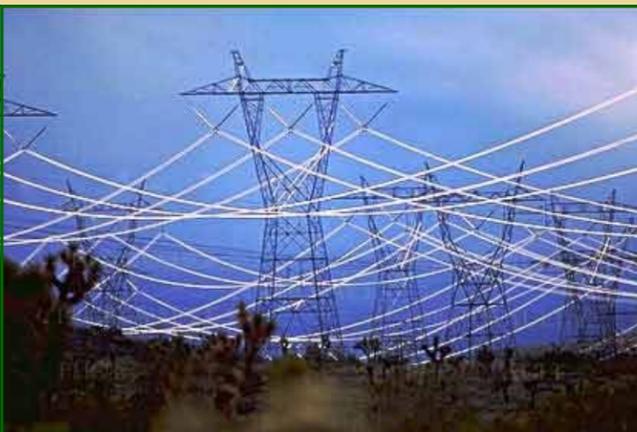
The signatories are members of the Save Scenic Jefferson Valley Coalition. Dated July 7, 2010.

Look Now Before It's Too Late!

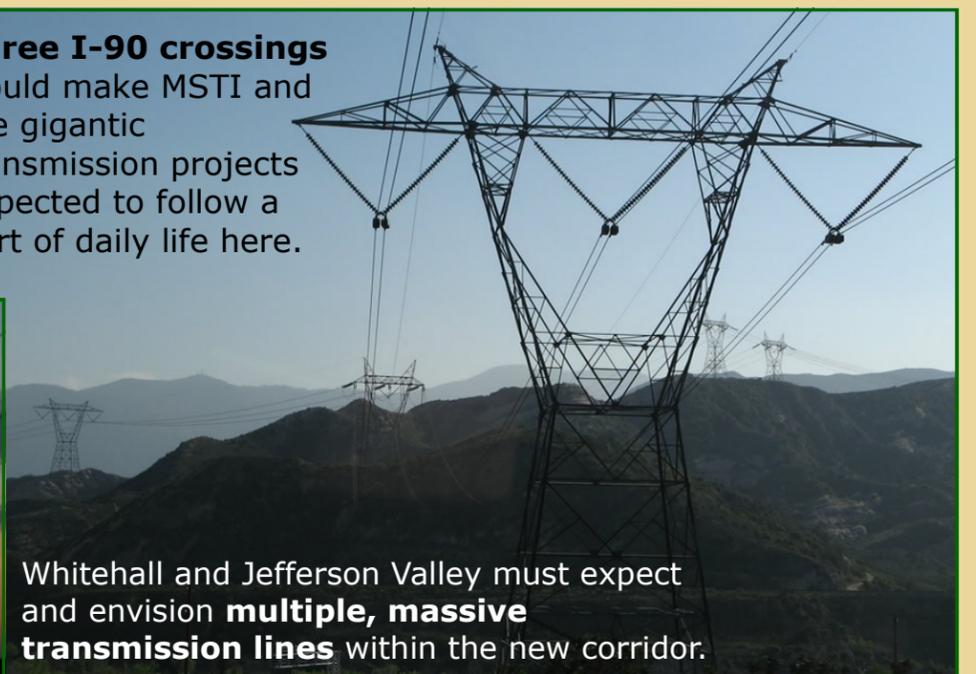


MSTI will affect every resident and visitor.

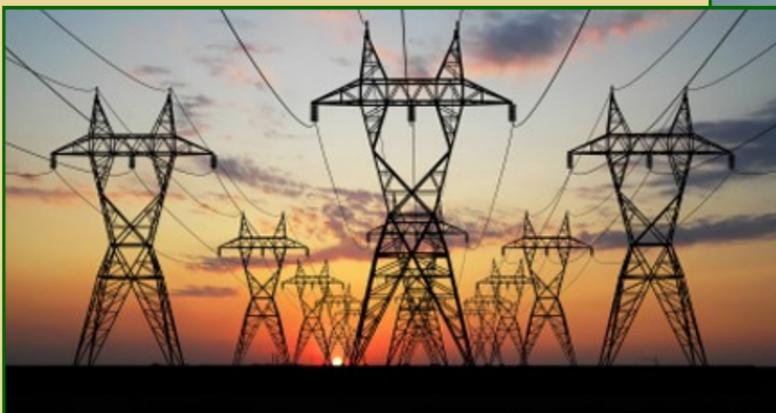
Government officials have made it clear they are selecting a corridor for **several massive transmission projects**, not just MSTI. The decision to place MSTI through greater Whitehall and Jefferson Valley will seal our fate as the preferred corridor for at least three export projects that are currently proposed.



Three I-90 crossings would make MSTI and the gigantic transmission projects expected to follow a part of daily life here.



Whitehall and Jefferson Valley must expect and envision **multiple, massive transmission lines** within the new corridor.



Our towns and families have been wrongfully targeted by NorthWestern and MSTI for business and political expedience.

NorthWestern Energy made a business and political decision that it would be easier and cheaper to **cram MSTI down the throats of communities and families** than fight well-financed environmental groups over using public land routes.

But it is **not legal** for Montana Department of Environmental Quality (DEQ) and Bureau of Land Management (BLM) to route MSTI on undesignated, unimpacted private land if an already federally designated, already impacted energy corridor is available for MSTI. The law requires agencies to prefer the designated federal energy corridors on public land that taxpayers have already paid to establish.



www.SaveScenicJV.org

Nowakowski, Sonja

From: peggy miller [highlandwinds@gmail.com]
Sent: Wednesday, July 07, 2010 8:07 AM
To: Nowakowski, Sonja
Subject: clean energy comments
Attachments: Missoula Renewable Energy Group flow chart.jpg

Dear Energy Interim Committee:

Go with clean, renewable energy, and forget fossil fuels.

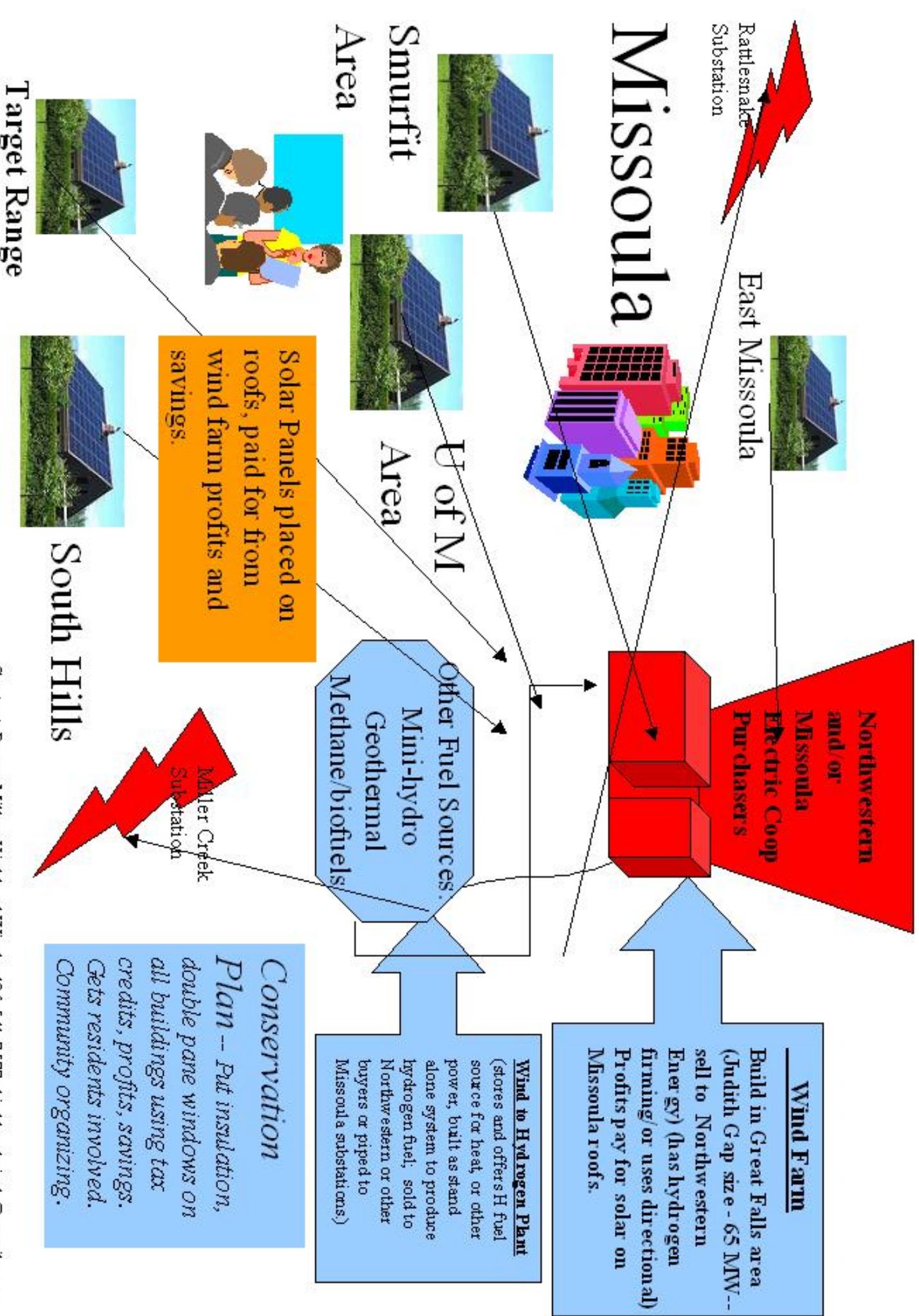
It is difficult, I realize, for you to consider going full tilt into renewable energy as a clean alternative, leaving fossil fuels alone completely, but this is what we should do. Wind power has become economical enough to support programs for placing more solar in all our cities, and the two together can harness the wind and sun, which are so available in this beautiful state.

I provide a plan in the attachment. Wind can make hydrogen which can start to fuel public transportation, and private. We can make a change and keep our energy dollars home!

Sincerely,

Peggy Miller
Highland Winds
1520 S. 7th St. W.
Missoula, Montana 59801

Missoula Renewable Energy Power System Proposed (a mix):



Nowakowski, Sonja

From: Erik L Fredlund [timberstone@bresnan.net]
Sent: Wednesday, July 07, 2010 8:24 AM
To: Nowakowski, Sonja

no more coal please. we should be trying to develop renewable energy resources instead i.e. wind, solar and geothermal. lets move forward with true clean energy not dwell in a past that is based on extraction. The Otter Cr. coal tract sale was and is a terrible plan and will ruin one of the last natural drainage valleys in that part of the state. lets not do this again, NO NEW COAL.

Nowakowski, Sonja

From: Kari McIntyre Kaiser [karimcintyre@bresnan.net]
Sent: Wednesday, July 07, 2010 8:47 AM
To: Nowakowski, Sonja
Subject: energy legislation

Dear Energy Interim Committee,

As you consider new energy policy, I urge you to focus on clean, renewable sources, rather than throwing money at production means of the past. I think we would be wise to start aggressively investing in new technologies and new energy sources so we're ahead of the game when outdated fossil fuels become scarce or unavailable. Let's not wait until the situation becomes even more urgent - let Montana be a leader!

Thank you for your consideration, and for your service.

Sincerely,
Kari McIntyre Kaiser
Billings, MT

Nowakowski, Sonja

From: kitsite [kitsite@in-tch.com]
Sent: Wednesday, July 07, 2010 8:50 AM
To: Nowakowski, Sonja
Subject: Energy Policy

Sonja Nowakowski,

Comments to the Energy and Telecommunications Interim Committee:

My foremost concern with the update of Montana Energy Policy for the next legislative session is in the effort in to change language that in effect disenfranchises the citizens of Montana by minimizing their participation of decision making in development of energy resources in the state. We should strive to be "Montanan friendly", rather than industry friendly. The entire reason energy development occurs in the first place is to provide a commodity for people to use. Those end users are the consumers who pay for the commodity. The industry exists because of customers, not the inverse. The industry should be responding to a market which should be shaped by demands of the end consumer, not the other way around. Allowing the energy and utility industry to hijack the agenda and impose structural models that give their retail customers absolutely no choice in what the generation source of the energy they receive is a backward reaching policy. In effect, the current draft bill will lock the course of energy policy in the state well past the middle of the 21st century. This is very, very bad policy. Locking up capital and using 19th century technology and coal resources on such a large scale will obstruct innovation in new methods of energy generation and harm people, the land and progress. It's a recreation of monopoly by the energy industry; what an ironic course the original deregulation legislation set us on.

I support retaining the original 1992 policy. The statement places the Montana ratepayer first, not subordinate to special interests. The erosion of the rights of individual citizens in energy policy needs to be reversed. We are a government of people, not corporate interests. We give the consent of the people's government to allow the formation of incorporation to individuals for business enterprises, We, the people of the state of Montana, do not delegate the right for those for profit enterprises to write legislation to only benefit themselves.

As to the issues of TRANSMISSION, I live in southwest Montana, near Whitehall and am extremely concerned about the "steamroller" of a policy that has emerged in the last four year concerning national policy (and obviously Montana) on siting high voltage transmission lines. I support the following:

OFFICIAL PUBLIC COMMENT to Energy and Telecommunications Interim Committee (ETIC) on proposed revisions to State of Montana Energy Policy from Save Scenic Jefferson Valley Coalition

Energy policy is influenced by extensive lobbying from well-financed corporate and environmental interests. Save Scenic Jefferson Valley Coalition represents communities and families with limited resources but facing profound consequences from Montana's energy policy decisions. Accordingly, we limit our official comment to two main points Montana's energy policy must address to protect communities and families while promoting Montana's economy and clean energy future.

First, public agencies such as Montana Department of Environmental Quality (DEQ) must site high-voltage export transmission lines to use public land for public benefit. With respect to the proposed Mountain States Transmission Intertie (MSTI), NorthWestern Energy and its political proponents have wrongfully targeted our towns and families with MSTI for business and political expedience. NorthWestern Energy made a business and political decision that it would be easier and cheaper to cram MSTI down the throats of communities and families than fight well-financed environmental groups over using public land routes. But it is not legal for Montana DEQ and Bureau of Land Management (BLM) to route MSTI on undesignated, unimpacted private land if an already federally designated, already impacted energy corridor is available for MSTI. State and federal law requires agencies to prefer the designated federal energy corridors on public land that taxpayers have already paid to establish. We are dismayed that the very public agencies we rely on for protection have been complicit in this strategy that harms Montana communities and families.

Second, the state's process for siting high-voltage export transmission lines through scenic and productive Montana lands must change to embody greater accounting for the damages those lines cause communities and families. Recently, DEQ reacted to justified public outrage in Butte over NWE's preferred MSTI route by creating a new route that avoids Butte but surrounds Whitehall instead with some 250 14-story structures. DEQ's disregard for Whitehall and its families is unfortunately evident from its treatment of Whitehall in the leaked draft Environmental Impact Statement (EIS) for MSTI. The word "Whitehall" does not appear on any map in the leaked draft EIS, despite the document's running to thousands of pages. Whitehall is the largest incorporated area in Montana that MSTI would run through, yet Whitehall is nowhere mentioned in the section on MSTI's "Human Impacts." We implore the ETIC to include and publish photos from the attached document with our official public comment. There is no other way to reflect the impacts that the proposed MSTI and subsequent export lines to follow will cause on the land and landscape. Allowing such facilities to target towns and families is not the legacy a Montana energy policy should leave for our children.

ETIC's decisions regarding Montana's energy policy will have profound environmental consequences upon Montana communities and families. The environmental costs of high-voltage export transmission lines must be realistically accounted for. Stewardship of Montana's land and landscape deserves "green equity" alongside laudable renewable energy goals. The legitimate interests of communities and families must be fairly represented against corporate interests.

Thank you,
Kristine Mather
PO Box 368
Whitehall, MT 59759

Nowakowski, Sonja

From: Cheryl Reichert [creichert@bresnan.net]
Sent: Wednesday, July 07, 2010 8:52 AM
To: wwranch@3rivers.net
Cc: Nowakowski, Sonja
Subject: Citizens for Clean Energy recommendations

Great letter, Richard.

I sure hope that the many volunteer hours devoted to the CCAC and associated technical committees will help guide future legislative efforts regarding sustainable energy. I know Sonja will be doing her best in this regard.

Cheryl Reichert, M.D., Ph.D.

On Jul 6, 2010, at 1:41 AM, wwranch@3rivers.net wrote:

> fyi friends...I'm still dismayed that very little of the CCAC's work
> and working groups was adopted by the Governor and the 2009
> legislature...pitiful..
>
> Your comments as CCAC contributors might also help if possible, no
> matter how short and due 7 Jul....

>
>
>
> ----- Original Message

> -----
> Subject: Citizens for Clean Energy recommendations ot ETIC
> From: wwranch@3rivers.net
> Date: Mon, July 5, 2010 6:21 pm
> To: snowakowski@mt.gov
> Cc: wwranch@3rivers.net

> -----
> ----
>
> Greetings Sonja,

>
> On behalf of Citizens for Clean Energy, Inc., we're pleased ot have
> the opportunity to encourage the the interim ETIC to support clean
> energy development and R & D, conservation and energy-efficiency, plus
> help promote effective and reasonable energy transmission development
> for Montana and the US Government.

>
> We would wish to discourage the notion that coal is 'cheap' and
> certainly not so when all the external costs are considered which
> should apply to all fossil fuels, as we've seen the consequences,
> particularly with the BP Gulf disaster. We realize domestic oil
> production is vital to our Nation's energy independence, but we must
> also lead in conservation and incorporate energy-efficiency as part of
> that - in transportation, building codes (MT has made some good steps
> there) and in all government institiionts to show leadership for
> residential and commercial consumers.

> Further, CCE would urge ETIC to re-examine the invaluable efforts of
> the work done by the Governor's Climate Change Committee and its
> working groups on energy-efficiency and conservation. CCE members Dr.
> Cheryl Reichert, Ken Thorton and myself were all privileged and proud
> to be a part of that effort. A sound blueprint has already been laid
> down and could be further enhanced by the legislature please

>
> This is a defining moment in our Nation's destiny in regards to energy
> and let's show that Montana can LEAD the way to develop our wind,
> water, biofuels, sun and share our natural resources with America.

> Respectfully,

>
> Richard D. Liebert
> Lt. Colonel (Ret), Army
> Chair, CCE, Inc.
> 289 Boston Coulee Road
> Great Falls, MT 59405

>
> ps - and we're very eager to have the state help promote Malmstrom Air
> Force Base as a future energy innovation center, where we can share
> research and development with the Departments of Energy, Agriculture
> and Defense in harmony with the State of Montana for a joint facility
> to enhance our wind development and biofuels, particularly Camelina
> and other biofuel prospects.

>
>
>

Nowakowski, Sonja

From: Kohn family [jstj@mcn.net]
Sent: Wednesday, July 07, 2010 9:04 AM
To: Nowakowski, Sonja
Subject: energy blueprint comments

Dear Ms. Nowakowski:

Thanks for reading everyone's two cents on the interim Energy and Telecommunications Committee's energy blueprint.

My two cents are that the only policies we dare enshrine are those that will support future generations. Coal has no place there. Montana can reduce morbidity and health care costs by moving away from the unhealthy economies of fossil fuel generation.

Fossil fuel development serves only two functions: filling our air and land with poisons, and enriching private interests at the expense of the common good. What are the reasons not to put our future with sustainable development, other than the complaints of lobbyists?

Increasing conservation and efficiency is great; so is job creation by retraining for green jobs, reducing waste streams through taxing garbage generation, and developing incentives for industries as well as consumers to support locally-produced products to reduce transportation pollution. This land and water only supports a few people, no matter what technological fix is proposed; growth has limits, and Montana does not need to grow tumors before finding that out.

Thanks for listening,

Jon Kohn

Aurora and Jon Kohn
2902 Thousand Oaks St.
Billings, MT 59102
(406) 245-4040
jstj@mcn.net

Nowakowski, Sonja

From: Ream, Tarn [tarn.ream@umconnect.umt.edu]
Sent: Wednesday, July 07, 2010 9:08 AM
To: Nowakowski, Sonja
Subject: energy plan

Please make Montana's energy clean! Montana should first capture energy efficiency and focus on clean, affordable renewable energy like wind power. Please do not saddle Montana's future generations with more expensive and outdated fossil fuel development.

Sincerely,

Tarn Ream

Missoula, Montana

Nowakowski, Sonja

From: Sandy Abraham [abrahams@billings.k12.mt.us]
Sent: Tuesday, July 06, 2010 5:10 PM
To: "<snowakowski">@mt.gov
Subject: Interim committee

Dear Representatives and Senators of the Energy and Telecommunications Interim Committee,

The Stone Age did not end because we ran out of stones. Instead, we found a different way to move forward. The Fossil Fuel Age should not end when we run out of fossil fuels. We have found a better way to produce energy, and we need to commit ourselves to this future. It is a future that moves us beyond fossils fuels using clean, renewable energy. This is the direction I would ask you to move our state. Clean, renewable energy. No coal, no coal sequestration. Our people deserve a carbon free future...

Sandra Abraham

Nowakowski, Sonja

From: KIM POTTS [kpotts@wildblue.net]
Sent: Wednesday, July 07, 2010 9:29 AM
To: Nowakowski, Sonja
Subject: energy

Dear Members of the Interim Energy Committee,

Thank you for all your hard work!

I would like to express my support of policies which invest Montanan's time, money and energy into the future with clean renewable energy. As a mother I am concerned that we make investments and policies now that insure a decent future for my children. To me, continuing to focus on coal and oil is like investing in the horse and buggy instead of the railroads. Please put Montana in the forefront by using our policies to phase out fossil fuels and replace them with renewable energy.

Thank you for your time.

Kim Potts
Three Forks, MT

Nowakowski, Sonja

From: Eli McIntosh [e_mcintosh@hotmail.com]
Sent: Wednesday, July 07, 2010 9:47 AM
To: Nowakowski, Sonja
Subject: Energy Policy
Attachments: Energy Policy.doc

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
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3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.

12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.

13. Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"

2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*

3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. *Montana Law: MCA 70-30-110: "Survey and location of property to be taken – greatest public good."*

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. *Montana Law: MCA 90-4-1001 "promote energy efficiency, conservation, production, and*

consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS"

Sincerely,

Nowakowski, Sonja

From: Eric S. Wright [wright.es@gmail.com]
Sent: Wednesday, July 07, 2010 9:50 AM
To: Nowakowski, Sonja
Subject: Energy Policy

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MSTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
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Sincerely,

Eric S. Wright

--

Eric S. Wright

somewhere in Montana
wright.es@gmail.com

Nowakowski, Sonja

From: ontherun@montanasky.net on behalf of ontherun [ontherun@aboutmontana.net]
Sent: Wednesday, July 07, 2010 9:49 AM
To: Nowakowski, Sonja
Subject: clean energy

An “energy blueprint” should direct Montana toward efficiency and clean, affordable renewable energy development. Montana’s future generations should not be saddled with the dirty and outdated technology of the past.

The plan should not increase our reliance on dirty and out-dated fossil fuel technologies for coal and natural gas.

Thank you for doing the right thing in removing coal & natural gas from the energy blueprint,

Gil Jordan & Kimberly Pinter
Coram, Montana

Thanks,
Gil
Gil Jordan
Box 130373 Coram, MT 59913
406 387-5814 ontherun@aboutmontana.net

Nowakowski, Sonja

From: Don Hand [don@ch-realty.com]
Sent: Wednesday, July 07, 2010 9:58 AM
To: Nowakowski, Sonja
Cc: 'Prairie Home Inspection'
Subject: Energy Policy

Please add to the energy policy a line that will require all transmission lines and gas pipelines to follow routes that are the least intrusive to the viewscape and the property owners' property values. I realize that the lines need to go someplace and that we all have a "Not in my back yard" attitude, but, by minimizing the impacts less folks will be hurt.

As these services benefit all it would seem fitting to route all public lines on government land that is owned by all of us and not to burden private landowners. When an easement for utilities is granted (or taken) certain rights to the land perish as well. The land is no longer "whole" as a part of it has been given away in perpetuity and thus the property value is reduced.

Please protect our property rights!

Thank You,

A handwritten signature in blue ink, appearing to read "Don Hand". The signature is fluid and cursive, with the first name "Don" written in a larger, more prominent script than the last name "Hand".

Don Hand - Broker - REALTOR ®

don@ch-realty.com

Carriage House Realty

116 E. Reeder

406.683.4211

406.683.4044 FAX

"The Professional Office with the Small Town Touch"

Nowakowski, Sonja

From: William Crain [williamcrain@earthlink.net]
Sent: Wednesday, July 07, 2010 10:03 AM
To: Nowakowski, Sonja
Subject: Energy comments

Hi Sonja, I'm absolutely behind the assessments you have for the Good and the Bad.

However it is most important to extract the Oil from the Bakken and Willitson Basins of Eastern Montana and western North Dakota. We can not play NIMBY. There's enough Oil in the Bakken and Willitson Basins to last 100 years at current consumption according to some analysts. We are not going to ever be Petroleum Free. So we use what we can control and it's profitable to our states general welfare.

We should use what is ours and not depend on some foreign Oil. We don't have the moral right to expect other states to go off shore when we have a resource that is a whole lot less fragile than our Oceans.

I should hope that the State of Montana becomes a state owner of those Oil & Gas resources, the Products are extracted and the profits go to the citizens of Montana.

Granted this is Oil Shale but the Oil Barons are given tons of tax breaks for R & D and 65 billion dollars of our tax deductions for R & D to British Petroleum did NOT go for any R & D at all...no telling what the other Oil Barons did with the R & D monies??? But we should be able to harvest Oil from Oil Shale.

Again I stress the development of the Bakken and Willitson basins to the max.

The State can easily support entrepreneurship with small start-up Oil Companies.

A pipeline to the 3 refineries in Billings should not be difficult. The land is not nearly as fragile as the world's oceans. And the containment of accidents would be easier to catch and repair.

Yes this is Oil Shale and it will take a different means of extraction but the product is there in bulk. Profits can go to Sun and Wind power to wean us off Petroleum. But I don't want windmills that kill birds to be put into place. Nor Canadian Oil or Wyoming Nuclear Power.

Montana is a 'welfare state' and as such should start contributing to its own welfare not taxpayers in other states.

I am no fan of Gov Schweitzer at all. He is a DLC crony capitalist with a bone for Coal. He can take a flying leap at a rolling donut.

Thank you,
William Crain
Co-host The Wobblies Show 5:30 PM Wednesday Ch 7 Public Access
Peace & Justice Forums
Disabled combat infantry Viet Nam Veteran
406.697.9156

www.williamsstudiogallery.com

Nowakowski, Sonja

From: bullheadm@aol.com
Sent: Wednesday, July 07, 2010 10:10 AM
To: Nowakowski, Sonja
Subject: energy blueprint comments

Dear Energy Interim Committee,

Please make Montana's energy clean! Montana should focus on clean, affordable renewable energy like wind power and solar energy. Please do not saddle Montana's future with more expensive and outdated fossil fuel development that will lead to climate change.

Sincerely,

Terry

Terry Minow
502 Lower Valley Road
Boulder, MT 59632

Nowakowski, Sonja

From: Jim Baerg [jlbaerg@gmail.com]
Sent: Wednesday, July 07, 2010 10:29 AM
To: Nowakowski, Sonja
Subject: Comments on Montana's Energy Blueprint
Attachments: Cost of Greenhouse_Gas_Emissions_Executive_Summary.pdf

Dear Sonya,

Thanks very much for this opportunity to comment on the Interrum Committee's Final Report on Montana's future energy policy. As you recall, I was invited to testify at the original hearings. At that time, I spoke to the job creation and local economic development potential of energy conservation measures. I am pleased to see that those types of efficiency measures are prioritized in the Committee's Final Report.

I am less pleased by the promotion of coal development in the report. I understand that the report reflects the varied viewpoints of the committee, but had hoped that expert testimony and scientific research about various energy choices would carry more weight. Coal production is currently a large industry in the state, but it contributes relatively little to over-all economic development or job creation, especially compared to other alternatives. Coal generated electricity is also expensive (when including external costs), environmentally damaging, and Montana's major source of greenhouse gases. For reference, I am attaching a well known, and respected comparative study of various energy alternatives published by McKinsey Quarterly.

The economic choice is very clear. Will political factors hold sway?

Once again, thank you for your work on this important issue.

--

Jim Baerg

Montana Energy+Design
115 E. Callender St.
Livingston, MT 59047
406-222-5100
www.mte-d.com

To Whom It May Concern,

The proposed Mountain States Transmission Intertie (MSTI) electricity transmission line has something for everyone – something, that is, for everyone to take issue with. Whether you are a rancher, libertarian, recreationalist, environmentalist, somewhere in between or on the fence, the prospect of MSTI running through Beaverhead County should cause you deep concern. Here's why:

MSTI will impact ranching operations. Transmission lines impede the operation of irrigation pivots and wheel lines. Some studies indicate electromagnetic fields (EMFs) emanating from power lines disrupt the ability of cattle to orient themselves, much like animals are affected by changes in weather (i.e. electromagnetic fields), except continuously and unnaturally.

MSTI will decrease property values and raise taxes. Few people want to live near a 500 kV power line; if constructed, property values will likely fall. If people find a large transmission line a deterrent to living here, property tax revenue will also fall. Do you want to see a transmission line from town? Legally, Northwestern Energy is permitted to pass on the property tax it will owe to Beaverhead County to its customers. While it's unclear how long these "payments" to Beaverhead County will last, one thing is likely: We as taxpayers will be paying to transmit power each time we pay a Northwestern Energy bill.

MSTI will detract from recreation and tourism. The sight of 140 foot towers spaced four to six per mile will create blight. If you've driven I-15 north from Salt Lake City lately, you know what an eyesore these towers are. Towers alongside and crossing our rivers and the landscape will arguably decrease southwest Montana's appeal for anglers, hunters, outdoor enthusiasts and tourists. Decreased appeal will result in reduced dollars for guide & outfitting services and the local businesses that depend on tourism.

MSTI will impact our citizens' health and environment. MSTI is touted as a "green" transmission line, yet will be physically tied to coal power from Colstrip, Montana. Coal generation degrades air, water, and soil quality. The health affects of living near EMFs include cancer, lymphoma, and leukemia. Why should Montanans compromise their health and environment for out of state power users? Power generation for California and points south should be localized.

Hester Dillon

July 6, 2010

Energy and Telecommunications
Interim Committee of the
Montana Legislature

Dear Committee Members

My comments refer to the State Energy Policy, specifically the MISTI project.

After 39 years of teaching and scrimping and saving, I have purchased land and am building my dream home south of Butte. Neither the land nor the home is inexpensive. This area is one of the proposed routes of the transmission lines for electrical power to be shipped to Nevada and California.

- I purposely chose my property because it is quiet; and it has healthy, fresh air, a wonderful view, and wildlife.
- My property would be devalued because it would be only approximately one half mile from the lines.
- To sully the environment and the beauty of the land with the proposed transmission lines is an abomination.
- Butte, not the most attractive of towns, does not need the addition of the eyesores the power lines would provide.
- Not enough research has been done on the health risks from the electromagnetic fields that will be produced.
- Butte already has had large organizations negatively control its future; namely, The Anaconda Company and The Montana Power Company; and now NorthWestern Energy is trying to bully its way into going against citizen wishes.
- It is only reasonable to put the power lines on public land where they will do the least damage.

It appears that putting these lines south of Butte conflicts with other Montana laws which protect Montana citizens and their private land holdings; specifically, Montana Law: MCA 75-1-103 as well as Montana Law: MCA 70-30-110 and Montana Law: MCA 90-4-1001.

We, the citizens who elected you to office, are counting on you to listen to us and to follow our wishes.

Sincerely

B. Diane Murray
3900 Jupiter Lane, B205
Butte, MT 59701

Nowakowski, Sonja

From: SteveMcArthur@aol.com
Sent: Wednesday, July 07, 2010 11:28 AM
To: Nowakowski, Sonja
Subject: Comment on the energy policy proposal

Dear Energy Interim Committee,

OK , we see what our dependence on fossil fuels are doing to the planet! Now is the time to step up and propose a bold new direction for Montana! We can not keep digging and pumping our selves out of this mess! We need a new direction and the plan proposed only keep us on the same dead end for the planet and for all of our children!

Please make Montana's energy clean! Montana should first capture energy efficiency and focus on clean, affordable renewable energy like wind power. Please do not saddle Montana's future generations with more expensive and outdated fossil fuel development.

Sincerely,

Steve McArthur

3406 West Central Ave.

Missoula Montana 59804

Nowakowski, Sonja

From: straus5@aol.com
Sent: Wednesday, July 07, 2010 11:39 AM
To: Nowakowski, Sonja
Subject: Energy Policy

Greetings:

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line. My name is Laura Straus, and I am a resident of Dillon, MT. My address is 512 S. Rife Street, Dillon, MT, 59725. I want to express my extreme concern about and my strong opposition to the proposed MSTI project.

Here are my specific concerns:

1. MSTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
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Sincerely,

Laura Straus
406-683-6653

Nowakowski, Sonja

From: c j coleman [cjcoleman1@bresnan.net]
Sent: Wednesday, July 07, 2010 11:59 AM
To: Nowakowski, Sonja
Subject: The "energy blueprint"

To the legislature's interim Energy and Telecommunications Committee:

The time has come for Montana to lead the way to new energy production techniques and raw materials.

Yes, we have deposits of fossil fuels, but let us develop technologies AND JOBS with our other resources: sun, wind . . . and even the methane produced in our landfills! Let our State be known as one of *The First Best Place(s) to recognize and profit from current reality!!*

Respectfully submitted,

Claire J. Coleman, Billings

G. ANDREW ADAMEK
CHAD E. ADAMS
DANIEL J. AUERBACH
KIMBERLY A. BEATTY
TROY L. BENTSON
SARA S. BERG
LEO BERRY
BRAND G. BOYAR
CARLO CANTY
MARK D. ETCHART
OLIVER H. GOE
ERICA R. GRINDE
J. DANIEL HOVEN
JASON B. JEWETT
STANLEY T. KALECZYC



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KATI G. KINTLI
CATHERINE A. LAUGHNER
JESSIE L. LUTHER
CHRISTY SURR MCCANN
JOANNE MCCORMACK
DAVID M. MCLEAN
KYLE W. NELSON
MARK R. TAYLOR
W. JOHN TIETZ
MICHAEL STRAND
STEVEN T. WADE
LEO S. WARD
RYAN C. WILLMORE
R. STEPHEN BROWNING (RETIRED)

July 7, 2010

Representative Robyn Driscoll
Chair Energy and Telecommunications Interim Committee
Services Division,
P.O. Box 201704, Helena, MT 59620-1704

VIA EMAIL
snowakowski@mt.gov

Attn. Sonja Nowakowski

RE: **Montana Energy Policy**

Dear Representative Driscoll:

On behalf of Great Northern Project Development and Great Northern Properties, I want to thank the committee for the revisions made to the Energy Policy at the last meeting. At a minimum, the policy should reflect the policies embodied in existing statutes previously passed by the legislature. The addition of the language relative to the development of clean coal technologies is reflective of currently existing statutes. In the 2007 special session the legislature adopted House Bill 3, Governor Schweitzer's so called "Clean and Green" proposal which encouraged, through our tax provisions, the conversion of coal to various energy forms. Each member of ETIC voted for that legislation with the exception of Representative Belcourt who was not in the legislature at that time. The modifications made to the Energy Policy by the committee reflect the policies of that act.

While some may want to steer the Policy to one energy sector or another, it is important that the Policy encompasses a balanced, broad range of options for Montana. The promotion of low cost, efficient energy sources is imperative for Montana's economy to grow and for energy costs to be minimized for Montana's citizens. The committee has done an admirable job in crafting an energy policy that is reflective of the goals of all Montana citizens and should be moved forward to statutory form.

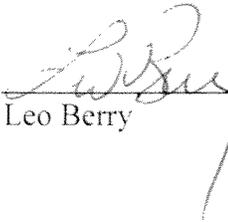
Thank you for your efforts in this regard.

Sincerely,

652794/1755.003

RE: Legislative Representation
July 7, 2010
Page 2

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

By  _____
Leo Berry

cc: Chuck Kerr
Bill Pascoe
Rich Southwick

As Ranchers, Realtors, and concerned citizen of Beaverhead County, we are writing Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

The negative economic, aesthetic, and health impacts the MSTI line will potentially create are enormous. As native Montanans, it is unfathomable to us that any big business would be allowed to obstruct Montana's Big Sky with a project that appears to line the pockets of Northwestern Energy and provide power out-of-state only with no benefits, only detriments to MONTANA.

As mentioned above, we are both cattle ranchers and thus must supplement our income with outside resources so we sell real estate part-time. We are also developing 20 acre horse properties at Apex. Imagine the marketing challenges this will create. Who will want to look at those less than attractive towers obstructing the big sky Montana mountain views. ***This is going basically devalue our 120 acre (now in four 20-acre and one 40-acre horse property parcels) investment just west of the Apex Exit.***

Furthermore, we will likely incur costly legal fees as we suspect Northwestern Energy is not going to offer us market value for these parcels!

Here are my specific concerns:

1. MSTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
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6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.

8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.

9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.

10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.

11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.

12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.

13. Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"

2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*

3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. *Montana Law: MCA 70-30-110: "Survey and location of property to be taken – greatest public good."*

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. *Montana Law: MCA 90-4-1001 "promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS"*

Sincerely,

Cory & Kari Lamey
62211 MT Hwy 43
Wise River, MT 59762
406-832-3535

Nowakowski, Sonja

From: Lillian Hartung [lillianhartung@yahoo.com]
Sent: Wednesday, July 07, 2010 12:15 PM
To: Nowakowski, Sonja
Subject: Montana's Energy Plan
Attachments: --static--bg_tulipsgreen_1.gif

Dear Energy Interim Committee:

I favor any plan to keep Montana's energy clean. Montana should first promote energy efficiency and focus on clean, affordable renewable energy such as wind and solar power. Please look beyond more expensive and outdated fossil fuel development.

Sincerely,

Lillian Hartung
Billings, MT

Nowakowski, Sonja

From: Diana Morris [diana.1956@hotmail.com]
Sent: Wednesday, July 07, 2010 12:18 PM
To: Nowakowski, Sonja
Subject: Energy Policy

I am writing as a concerned citizen of Silver Bow County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
12. NWE has been working on MSTI "under the radar," without notification and consideration to Silver Bow County landowners and residents.

13. Silver Bow County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

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Sincerely,

Diana Morris
116540 S. Buxton Rd.

Silver Bow, MT 59750

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. [Get busy.](#)

Nowakowski, Sonja

From: Kerry Fee [kerry@envirocouncil.org]
Sent: Wednesday, July 07, 2010 12:21 PM
To: Nowakowski, Sonja
Subject: MT Energy Plan

Dear Energy Interim Committee,

There is so much evidence that has and is coming out about the dangers of natural gas drilling on our environment that it only make sense to work towards renewable energy forms and stay away from using fossil fuels as much as we can. Also, the amount of water used for natural gas fracturing is enormous.

thanks

Kerry Fee
Executive Director
Park County Environmental Council
P.O. Box 164
Livingston, MT. 59047
(406) 222-0723 cell- (406) 579-7734
<http://www.envirocouncil.org>

Bill and Floydena Garrison

P.O. Box 320006

Glen, Montana 59732

Legislative Services Div.

Box 201704

Helena, Mt. 596201

Atten: Sonja Nowakowski

Just a note about the energy policy that is going to be presented to the legislature. We appreciate all that has been done so far but feel that there has got to be stronger language protecting the private property owner. We are not against progress but feel that this MISTI line is not necessary after looking thoroughly into all of the pros and cons, which we know that you have an extended list of.

This line is not in the best interest of Montana or its people. We feel that there should be a law that says that merchant lines cannot be acquired by eminent domain. That should be against the law.

We also feel that Northwest Energy is trying to acquire this ten year permit with the idea of selling it to Canada or some other company that wants to string a line across our state. Hopefully you will take this into consideration.

Our State is still one of the last best places in the United States, as progress comes please let us try to keep it that way.

Sincerely,



Bill and Floydena

RECEIVED

JUL 07 2010

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE



Citizens for Clean Energy, Inc.

3417 4th Avenue South, Great Falls, MT 59405 406-453-0725

e-mail: cce-mt@bresnan.net www.cce-mt.org

WIND, WATER AND FUTURE

7 July 2010

Dear legislative members of the interim Energy and Telecommunications Committee,

On behalf of Citizens for Clean Energy, Inc., we wish to thank you for your continued diligence and efforts toward state energy policy and we're pleased to have the opportunity to encourage the interim ETIC to support clean energy development and R & D, conservation and energy-efficiency, plus help promote effective and reasonable energy transmission development for Montana and the US Government.

We would wish to discourage the notion that coal is 'cheap' and certainly not so when all the external costs are considered which should apply to all fossil fuels, as we've seen the consequences, particularly with the BP Gulf disaster. We realize domestic oil production is vital to our Nation's energy independence, but we must also lead in conservation and incorporate energy-efficiency as part of that - in transportation, building codes (MT has made some good steps there) and in all government institutions to show leadership for residential and commercial consumers. Imagine that every home could be an energy generator.

Further, CCE would urge ETIC to re-examine the invaluable efforts of the work done by the Governor's Climate Change Committee and its working groups on energy-efficiency and conservation. CCE members Dr. Cheryl Reichert, Ken Thornton and myself were all privileged and proud to be a part of that effort.

This is a *defining* moment in our Nation's destiny in regards to energy and let's show that Montana can LEAD the way to develop our wind, water, biofuels, sun and share our natural resources with America. As Shakespeare said, "*fortune favors the bold.*"

Respectfully,

Richard D. Liebert
Lt. Colonel (Ret), Army
Chair, CCE, Inc.
289 Boston Coulee Road
Great Falls, MT 59405

ps - and we're very eager to have the state help promote Malmstrom Air Force Base as a future energy innovation center, where we can share research and development with the Departments of Energy, Agriculture and Defense in harmony with the State of Montana for a joint facility to enhance our wind development and biofuels, particularly Camelina and other biofuel prospects.

*Victor F. Nettles
P.O. Box 109
Dillon, MT 59725*

June 30, 2010

Senator Jerry Black, Chairman
Energy and Telecommunications Interim Committee
% Sonja Nowakowski
P.O. Box 201704
Helena, MT 59620-1794

Dear Senator Black:

I appreciate the opportunity to give my thoughts to your committee about the MSTI powerline that is proposed by Northwestern Energy Corporation. I would encourage your Committee to strongly oppose this particular project and any future projects of the same sort that are not in the best interests of the citizens of Montana.

My biggest concern is that the public "need" for the powerline has been manufactured by Northwestern Energy. In truth the "need" is for Northwestern Energy to expand its business of selling electricity. They have grabbed on to the popular, perhaps noble, cause of "green energy" which Montana has the potential to produce in excess. I say "potential" because the wind farms mainly exist on paper, and currently, the powerline system to deliver the electricity is not there. Northwestern would like to export this potential electricity to other states at a healthy profit. Montana does not need the energy that the MSTI line will carry; the electricity is an exported product similar to the beef that we raise in excess of our needs sell to more affluent markets elsewhere. Although it is unreasonable to be against any business that produces product or service in Montana that will be sold elsewhere, it is reasonable to expect the business to not harm the citizens of Montana. To carry the beef analogy further, if you were an affected landowner, how would you feel if a large corporation came to Montana and said "We plan to buy a huge number of cattle and drive them southward over a trail that will cross considerable acres of private and public property. We will pay you a small one-time amount for the privilege or have the courts take the land away from you."

I do not see much upside to having the MSTI line for the local citizens. There have been advantages touted including the following:

HUGE INCREASES IN TAXES TO AFFECTED COUNTY GOVERNMENTS:
I am skeptical that this new tax windfall is largely smoke and mirrors. As has been said by others, Northwestern Energy will have to pay their taxes out of their corporate profits, including the profits made from local Montana customers. Furthermore, Montana citizens pay Federal Taxes which will be used to spend on this senseless project. Perhaps the private landowner will enjoy some reduction in land taxes because their property

value has been thoroughly trashed. And to be truthful, Northwestern Energy may not be able to pay the taxes at all given past history of its predecessor in Montana.

MANY POLITICIANS BELIEVE THAT MSTI WILL PROVIDE MONTANA CITIZENS WITH CHEAPER ELECTRICITY*: This is a dream! All the power is going ELSEWHERE! On the contrary, sending the electricity to distant states that have higher rate structures will only tend to make it less attractive for Northwestern to sell locally! Montanans will soon be bidding against buyers in other states.

**Note: I have a letter from Senator Jon Tester that says exactly that! When I sent him a reply to explain different, he sent me the original letter AGAIN!*

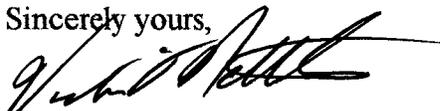
MSTI WILL PROVIDE JOBS: Well, not actually that many jobs once the line is finished. The construction jobs will be a temporary boost to local economies but there are no assurances that these jobs will be filled by in-state people. The MSTI maintenance does not provide that many jobs and will likely be offset by jobs lost in recreation, tourism, real estate, second home construction, ranching and farming.

MSTI IS NECESSARY FOR THE UNITED STATES TO BECOME ENERGY INDEPENDENT: Remember the 8-track tape? Under current technology, Montana has the "potential" to produce a lot of green energy needed elsewhere, but not without substantial construction and transmission costs. However, that technology could change rapidly and there are tremendous economic pressures driving the need for change. Local production by solar or wind could ramp up, tidal energy could be conquered, fuel cells are being advanced, people could change their minds about nuclear plants... a lot of things could change where the need for MSTI could diminish. Montana could be stuck with a dinosaur.

I have attached a list of talking points in opposition to MSTI that was compiled by a local organization Move MSTI. As you can see, there are abundant concerns over the negative impacts of the MSTI project and I am sure that you Committee will cover these in detail. The one thing on this list that bothers me most is the proposed use of private property. Desirable private land is one of the greatest assets of Montana. "Growth" as we all know it cannot occur on public land; people need places to live, have business, build their lives, and have financial security through assets such as land. To preferentially defile private land because it will be cheaper to construct MSTI on private land is absolutely ridiculous. If indeed the MSTI project is for the public good, then let it be sited mainly on public land.

In closing, I hope that these views will be convincing to both political parties on your Committee and that it will take whatever steps necessary to stop approval of this application from Northwestern Energy.

Sincerely yours,



Victor F. Nettles

CITIZENS CONCERNS:

- Not being notified.
- Concerns about the health effects from the Electromagnetic Fields (EMF) that will be produced from the 500kV transmission line.
- Loss of property use where the towers are located (physical structures and Right-of-Ways).
- Devaluation of Property Values.
- Visual impacts.
- All electrical power will be shipped out of state to Nevada and California.

Noxious Weeds

- Fire Prevention and Fire Fighting Hazards
- Emergency Communications Systems interference
- Why is NWE Industry MORE important than Local Industry (i.e. ranching)?
- Why does NWE rights outweigh Citizens Rights?
- The siting submitted in NWE application does not include three distinctly different alternative routes
- Alternative routes are sited on miles of private property: residential, subdivisions, grazing land, hay ground

1. OBSTACLE ENCOUNTERED

- Public concerns and opinions disregarded.
 - at the first open house meetings officials refused to answer citizens questions.
 - handed Eminent Domain booklets at the beginning of open house.

DEQ GUIDING PRINCIPLES when WORKING WITH THE PUBLIC:

- "We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public."

2. OBSTACLE ENCOUNTERED

Not being respectfully and properly notified.

- a. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups

MONTANA LAW: 75-20-211. Application -- filling and contents -- proof of service and notice.

(4) An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application.

3. OBSTACLE ENCOUNTERED

- The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners.
 - Landowners are the last to know
 - Citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment.
 - Landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner).
 - Public cannot be included in any negotiations of route changes with DEQ and the agencies.
 - You don't know who to turn to for help

- Transmission lines that are for the public good should be sited onto public land.

- Public land is more appropriate because the beneficiaries of the power at least have some ownership stake in the impacted public land.

- Public Projects should be on Public Lands

Montana Law: MCA 75-20-301

- ... ***“that the use of public lands for location of the facility was evaluated and public lands were selected whenever their use is as economically practicable as the use of private lands.”***

- This law puts a legal constraint upon the DEQ that they choose private property over public land if the construction of the route is more costly to the power company.
- This conflicts with other Montana laws that protect Montana citizens and their private land holdings.

Montana Law: MCA 75-1-103

The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare.

4. OBSTACLE ENCOUNTERED:

When siting on private lands for these export transmission lines is a necessity, eminent domain should not be used

- The government should stand up and protect its citizens and private property rights.
- Legislation is already in place to provide these protections. It simply needs to be enforced.

Montana Law: MCA 70-30-110

*Survey and location of property to be taken – greatest public good – **LEAST PRIVATE INJURY***

Montana Law: MCA 90-4-1001

"to promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS".

RECEIVED

JUL 07 2010

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Legislative Services Division
Attn: Sonja Nowakowski
P.O. Box 201704
Helena, MT 59620-1704

Margaret Leverton
P.O. Box 93
Corvallis, MT 59828

July 5, 2010

Dear Ms. Nowakowski:

I am writing with regards to the call for public comment on a draft bill energy policy being put together by the interim Energy and Telecommunications Committee. Here are my recommendations:

1. Build more greenways and bike paths through our towns and along our roads. Here in the Hamilton area, the recent building of the bike path along US Hwy 93 has brought out many people using their bicycles as a form of transport.
2. Support regional proposals/projects for commuter trains along our existing rail lines.
3. More development of wind, solar, and other alternative and renewable energy sources. *The recent TIME magazine refers to energy as the next big frontier for innovation!
4. Support more research and development of self-supporting/sustaining energy systems for our farmers and ranchers, including methods for using waste to be used for power. Some farmers in the upper Midwest are doing this now.
5. Continue to support regional programs that upgrade older buildings and homes with better insulation and heating systems to save power. Implement tough building codes to get more energy-efficient buildings. Provide any necessary financial incentives.
6. This might sound goofy, but what the heck: with the internet, people do a lot of their business online. This is a godsend for those in remote areas and those who are disabled. So why not take it a step further: people often drive long distances to go shopping. So why not have some more support for the local merchants, truck farmers, and various small businesses: There are communities in the USA who have developed money systems involving their own local currency, good only in local stores. It seems to me that there could be all sorts of incentives to get people to buy more locally.
Along these lines, give incentives to those businesses applicable for an option to telecommute. This too would reduce the amount of driving that people do (we hope...).
7. We use way too much water. Are there any financial incentives for our state's farmers and ranchers to implement cisterns and/or other water-saving methods? Also, I say this because irrigation systems also use a lot of energy.

(over)

8. I am wondering what kind of research into geothermal energy is happening here in Montana. Can the state support and encourage this, perhaps?
9. This being the Energy and Telecommunications Committee, what is the possibility of implementing the following state law: cite and fine people who are talking and texting on their cell phones while driving? This could be a great "funding" source for some of the above-mentioned programs while making our highways safer.

Of course this all involves a lot of cooperation, discussion, and communicating across department lines, between the public and private sector, and working with the legislature as well. Everyone from top-to-bottom would be a part of it all. But I do think it's possible. Americans have done it in the past, when the situation called for it.

I wish the very best to the Committee as they grapple with this very difficult issue. Thank you for your time, and with best wishes to you and your staff for a successful outcome.

Sincerely,

Margaret/Peggy Leverton
Peggy Leverton

Nowakowski, Sonja

From: Laurie Mondloch [l_mondloch@yahoo.com]
Sent: Wednesday, July 07, 2010 12:54 PM
To: Nowakowski, Sonja
Subject: Energy Policy
Attachments: Energy_Policy.doc

Please take into consideration the private land owners opinion on MSTI power line, as a homeowner in the preferred route I DO NOT WANT THE LINE

Laurie Mondloch
The Agency, Inc.
406-494-8400 phone
406-494-6159 fax

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
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Sincerely,

Nowakowski, Sonja

From: Gregg Ninefeldt [silverbowmtn@gmail.com]
Sent: Wednesday, July 07, 2010 12:57 PM
To: Nowakowski, Sonja
Subject: Energy Policy

In regards to the proposed new statewide energy policy, I wholeheartedly agree with Senator Verdell Jackson's opinions and stance on the proposed amendments.

Yes! Let us use everything we've got in this state that's in our toolbox for energy development! Expand the use of coal and natural gas. Use hydro, wind, nuclear, hamsters on wheels - everything!

Show the nation that we can develop and use all of these resources that we have both responsibly and efficiently.

Gregg Ninefeldt
Butte, Montana

Nowakowski, Sonja

From: Nancy Detrick [dnd5163@bresnan.net]
Sent: Wednesday, July 07, 2010 1:25 PM
To: Nowakowski, Sonja
Subject: DRAFT ENERGY POLICY

I am writing to try to persuade the legislature's Interim Energy and Telecommunications Committee that Montana's economic future does not lie in the use of fossil fuels. We should take a page from New Mexico where they are pouring investment money into alternative energy systems. Check out their economy--it's among the two best in the US.

I have yet to read anything by a notable source that indicates the development of clean coal technology is possible.

We need a comprehensive clean energy plan! Montana needs to focus on capturing energy efficiency and clean, affordable renewable energy like wind power.

Nancy Detrick
5163 Granite Ridge Circle
Billings, MT 59106

406-245-6038

Nowakowski, Sonja

From: Jean Atthowe [jean.atthowe@gmail.com]
Sent: Wednesday, July 07, 2010 1:06 PM
To: Nowakowski, Sonja
Subject: Energy and Telecommunications Committee

Dear Energy Interim Committee,

Just because Montana has lots of coal does not mean that we here should make our priority the selling of coal at the expense of other energy sources that are clean and safe and available that will reduce the planet's descent into destruction of all that we know due to severe climate changes/fluctuations in weather conditions that will endanger all life.

Montana has other sources to sell. Just think how development of wind energy could be developed by our native American nations that would be an economic boon for these communities in desperate need of such.

Please strive to make Montana's energy clean! Montana should focus on energy efficiency and and clean, affordable renewable energy. We in this world are basically all in the same boat, that canoe headed for the fall, the Niagra Falls. This is not th time to argue over who has the best paddle, and who should have the best seat, and who will be willing to buy that best seat. I This is about survival of our race, ournation, our state. To do otherwise is to choose murder for members of the human race, and all our treasured life of animals and plants and more. Let's not just position ourselves for the best seat on that boat to destruction, gaining a short advantage, but brief and ending fatally.

Sincerely

Jean and John Atthowe

730 South Sunset Bench Road

Stevensvillek Montana 59870



Western Environmental Trade Association

2301 Colonial Drive, Suite 2A, Helena, MT 59601
406-443-5541

July 7, 2010

From: Don Allen
To: Sonja Nowakowski
Subject: Montana Energy Policy

On behalf of the Western Environmental Trade Association (WETA) I write in strong support of the amendments adopted by the Energy and Telecommunications Committee at its May 13, 2010 meeting. Various association members have already or will be commenting on other specific provisions of the policy, so I want to focus on the adopted language related to coal fired generation and oil and gas exploration and development and petroleum refining. While Montana has other valuable energy resources, it is important to recognize that coal and oil and gas will provide most of the energy for Montanans, as well as for the rest of the country, for many years into the future. With the State's vast coal reserves and the opportunity to increase oil production, partly through using CO₂ for enhanced oil recovery in declining oil fields, Montana can help reduce the country's dependence on foreign oil. The production of energy from these sources provide good paying jobs, healthy economies in local communities and tax revenues for the state, local governments and schools. Any Montana energy policy should encourage the utilization of these valuable natural resources. Thank you for the opportunity to offer these comments.

Nowakowski, Sonja

From: Lorene Rowland [queenpuck@gmail.com]
Sent: Wednesday, July 07, 2010 2:16 PM
To: Nowakowski, Sonja
Subject: CLEAN ENERGY FOR MONTANA!!!!

An “energy blueprint” should direct Montana toward efficiency and clean, affordable renewable energy development. Montana’s future generations should not be saddled with the dirty and outdated technology of the past.

Nowakowski, Sonja

From: jean zankner [zankners@localnet.com]
Sent: Wednesday, July 07, 2010 2:59 PM
To: Nowakowski, Sonja
Subject: Energy plan

I'm in support of moving forward with more renewable energy development in our state and while that is in development we need to really emphasize saving energy and using it in more efficient ways. Let's all work at protecting our environment.

Sincerely, Jean Zankner

Nowakowski, Sonja

From: Erik Kalsta [kaldoch@3rivers.net]
Sent: Wednesday, July 07, 2010 11:52 AM
To: Nowakowski, Sonja
Subject: MSTI comment
Attachments: Energy Policy.doc

I am very concerned with the routing of the MSTI power line through SW Montana. I have attached a point by point list of concerns that I do not feel are being appropriately addressed.

Erik Kalsta

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.
13. Beaverhead County ranches and farms on the route will lose grazing and

agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"
2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*
3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. Montana Law: MCA 70-30-110: "*Survey and location of property to be taken – greatest public good.*"

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. Montana Law: MCA 90-4-1001 "*promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS*"

Sincerely,

Nowakowski, Sonja

From: David Nolt [davidnolt@gmail.com]
Sent: Wednesday, July 07, 2010 3:05 PM
To: Nowakowski, Sonja
Subject: Energy Policy

Dear Sonya Nowakowski,

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

I am adamantly opposed to this line as it is poor energy policy and the wrong way forward to a green energy future. What's more, this line would significantly and negatively impact Montanans and our cherished landscape.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
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5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
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9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.

11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.

12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.

13. Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

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consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS"

Sincerely,

David Nolt
225 West Reeder
Dillon, MT 59725

Nowakowski, Sonja

From: Teresa Hastings [thastings@mtlib.org]
Sent: Wednesday, July 07, 2010 3:10 PM
To: Nowakowski, Sonja
Subject: energy blueprint - comment

Dear Energy Interim Committee:

Thank you for including energy efficiency and energy codes for buildings in the "blueprint".

I'm concerned about the dependence on old energy technology.

I would like the blueprint to bank our coal for the future when the technology is available for the CLEAN use of our coal.

I want the state to work towards cleaner, renewable energy development. My children and grandchildren should not be handed an environmental mess that affects their health worse than it does now.

Regards,
Teresa Hastings
923 Missoula Ave
Helena MT 59601
406-443-1892

Nowakowski, Sonja

From: Kelly McCarthy [Kelly.McCarthy@fib.com]
Sent: Wednesday, July 07, 2010 3:22 PM
To: Nowakowski, Sonja
Subject: Energy Blueprint
Attachments: Kelly McCarthy.vcf

The largest wind farm in the US is being built by a Chinese company. The largest solar plant in the US is being built by a Spanish company. Clean energy is coming whether we like it or not. Are we to be leaders or followers?

http://www.fastcompany.com/1667406/abengoa-abound-solar-score-2-billion-from-the-us-government?partner=homepage_newsletter





Kelly McCarthy
Business Analyst

**First Interstate Bank -
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email: Kelly.McCarthy@fib.com
Cell: (406) 839-0071
www.firstinterstatebank.com



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Abengoa, Abound Solar Score \$2 Billion From the U.S.

Government

BY [Ariel Schwartz](#) Tue Jul 6, 2010



President Obama made a bold [pronouncement](#) in his first Oval Office speech last month: "Now is the moment for this generation to embark on a national mission to unleash America's innovation," he said. It's not too big of a project, because "the same thing was said about our ability to land a man safely on the moon." The government's clean energy push may not be man-on-the-moon scale yet, but this weekend's nearly \$2 billion loan guarantee for solar power is a decent start.

The U.S. Department of Energy is taking advantage of last year's Recovery Act to dole out \$1.85 billion in loan guarantees to Abound Solar Manufacturing and Abengoa Solar. Abound will receive \$400 million to build thin-film solar panels at two plants in Colorado and Indiana. When the plants reach full capacity in 2013, Abound estimates that they will generate 1,500 permanent jobs along with millions of solar panels on an annual basis.

The vast majority of the funds--\$1.45 billion--will go to Abengoa Solar, which is building the first large-scale solar plant in the United States that can store the energy it generates. The gargantuan plant, set to be built near Gila Bend, Arizona, will generate 280 megawatts of power at full capacity, or enough to power over 70,000 homes. It will also create 85 permanent jobs.

The cash is especially good news for Abengoa, a Spanish company that will likely be hit hard if Spain [abolishes](#) its ambitious solar subsidies. The United States' ability to attract a company from Spain--the fourth largest manufacturer of solar power technology in the world--is a notable achievement, according to Obama. "After years of watching companies build things and create jobs overseas, it's good news that we've attracted a company to our shores to build a plant and create jobs right here in America," the

President explained in his speech.

The government's loan guarantees are impressive, to be sure, but they are also a sobering reminder of just how much it will cost us to transition away from dirty energy. We can kick-start the solar industry with \$2 billion, but it's just a tiny fraction of the money we'll need to really get things going.



Ariel Schwartz can be reached on [Twitter](#) or by [email](#).

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Nowakowski, Sonja

From: Dave Galt [dave@montanapetroleum.org]
Sent: Wednesday, July 07, 2010 3:32 PM
To: Nowakowski, Sonja
Cc: Allen & Associates; Leo Berry; Mark Baker; tebzery@earthlink.net; Brian Cebull; Chip Youlden; Cole Chandler; Dave Ballard; jking@hancock-enterprises.com; Shawn Heringer
Subject: FW: MPA Comments on Energy Policy

Sonja

Please accept the following comments on the Energy Policy from me on behalf of the Montana Petroleum Association.

Dear Members of the Energy and Telecommunication Interim Committee:

The Montana Petroleum Association offers our thanks to the Committee for accepting our amendments and suggestions for the Montana Energy Policy at your May 13, 2010 meeting. The additional policy statements that you accepted are supported by the following facts from a recently released analysis by the Center for Applied Economics at Montana State University-Billings:

- Montana currently ranks 12th in the nation in terms of total fossil fuel production accounting for 2.1% of America's oil production.
- The exploration, production and refining industry is responsible for 4,600 jobs.
- Up to one eighth of the total value-added of Montana's economic output comes from its oil and gas industries.

The petroleum industry plays a vital role in Montana's economy and we appreciate the additional comments in state policy.

Best Regards

David A. Galt
Executive Director
Montana Petroleum Assn.
P.O. Box 1186
25 Neill Ave. Suite 202
Helena, MT 59624
(406) 442-7582 Office
(406) 443-7291 Fax
(406) 461-1314 Mobil

Nowakowski, Sonja

From: Sue Malek [suemalek@yahoo.com]
Sent: Wednesday, July 07, 2010 4:02 PM
To: Nowakowski, Sonja
Subject: MT Energy Policy

Dear Energy Interim Committee,

Please make Montana's energy clean! Montana should first capture energy efficiency and focus on clean, affordable renewable energy like wind power. Please do not saddle Montana's future generations with more expensive and outdated fossil fuel development.

Sincerely,

Representative Sue Malek

1400 Prairie Way

Missoula, MT 59802

Nowakowski, Sonja

From: Boltens [jgbolten@q.com]
Sent: Wednesday, July 07, 2010 4:05 PM
To: Nowakowski, Sonja
Subject: Sound energy plan for future.

Dear Energy Interim Committee,

Please make Montana's energy clean! Montana should first capture energy efficiency and focus on clean, affordable renewable energy like wind power. Please do not saddle Montana's future generations with more expensive and outdated fossil fuel development.

There is no clean coal or other fossil fuels and we must not be led to believe otherwise. We need to move to clean renewable energy. We cannot leave this problem for our grandchildren to solve. We must not wait any longer. I feel passionate about this issue and am so tired of some citizens denying the existence of problems facing our planet.

Sincerely,

Virginia Bolten, Missoula, MT. 59801

Nowakowski, Sonja

From: John & Kiku Hanes [kikuco@avicom.net]
Sent: Wednesday, July 07, 2010 4:11 PM
To: Nowakowski, Sonja
Subject: Draft energy policy

We commend you for moving toward renewable energy and energy efficiency.

However, we are disappointed that there isn't a clear path in the blueprint to moving away from old and dirty technology which our children shouldn't have to live with and pay for.

John W. Hanes Jr., and KiKu Hanes

Nowakowski, Sonja

From: Montana's Parrot & Exotic Bird Sanctuary [info@mpebs.com]
Sent: Wednesday, July 07, 2010 4:24 PM
To: Nowakowski, Sonja
Subject: Montana Energy Policy comments
Attachments: untitled-[2]

OFFICIAL PUBLIC COMMENT to Energy and Telecommunications Interim Committee (ETIC) on proposed revisions to State of Montana Energy Policy from Save Scenic Jefferson Valley Coalition

Energy policy is influenced by extensive lobbying from well-financed corporate and environmental interests. *Save Scenic Jefferson Valley Coalition* represents communities and families with limited resources but facing profound consequences from Montana's energy policy decisions. Accordingly, we limit our official comment to two main points Montana's energy policy must address to protect communities and families while promoting Montana's economy and clean energy future.

First, public agencies such as Montana Department of Environmental Quality (DEQ) must site high-voltage export transmission lines to use public land for public benefit. With respect to the proposed Mountain States Transmission Intertie (MSTI), NorthWestern Energy and its political proponents have wrongfully targeted our towns and families with MSTI for business and political expedience. NorthWestern Energy made a business and political decision that it would be easier and cheaper to cram MSTI down the throats of communities and families than fight well-financed environmental groups over using public land routes. But it is not legal for Montana DEQ and Bureau of Land Management (BLM) to route MSTI on undesignated, unimpacted private land if an already federally designated, already impacted energy corridor is available for MSTI. State and federal law requires agencies to prefer the designated federal energy corridors on public land that taxpayers have already paid to establish. We are dismayed that the very public agencies we rely on for protection have been complicit in this strategy that harms Montana communities and families.

Second, the state's process for siting high-voltage export transmission lines through scenic and productive Montana lands must change to embody greater accounting for the damages those lines cause communities and families. Recently, DEQ reacted to justified public outrage in Butte over NWE's preferred MSTI route by creating a new route that avoids Butte but surrounds Whitehall instead with some 250 14-story structures. DEQ's disregard for Whitehall and its families is unfortunately evident from its treatment of Whitehall in the leaked draft Environmental Impact Statement (EIS) for MSTI. The word "Whitehall" does not appear on any map in the leaked draft EIS, despite the document's running to thousands of pages. Whitehall is the largest incorporated area in Montana that MSTI would run through, yet Whitehall is nowhere mentioned in the section on MSTI's "Human Impacts." We implore the ETIC to include and publish photos from the attached document with our official public comment. There is no other way to reflect the impacts that the proposed MSTI and subsequent export lines to follow will cause on the land and landscape. Allowing such facilities to target towns and families is not the legacy a Montana energy policy should leave for our children.

ETIC's decisions regarding Montana's energy policy will have profound environmental consequences upon Montana communities and families. The environmental costs of high-voltage export transmission lines must be realistically accounted for. Stewardship of Montana's land and landscape deserves "green equity" alongside laudable renewable energy goals. The legitimate interests of communities and families must be fairly represented against corporate interests.

Everyone - copied below is a comment statement to the Montana Energy Policy that Don Kronenberger prepared for Save Scenic Jefferson Valley Coalition. Don will have a copy of this comment statement at the hearing tomorrow and you can sign on to it as a member of SSJVC if you so desire. He will then send it in with all signatures. But if you won't be at the hearing, please feel free to email the comment statement to: snowakowski@mt.gov. Please be sure to include "Energy Policy" in the subject line of your e-mail. Thanks!

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Debra Hanneman, PhD
107 Whitetail Road
Whitehall, Montana 59759
406-287-5408
www.earthmaps.com

MONTANA ENVIRONMENTAL INFORMATION CENTER

July 7, 2010

Dear Sonja,

The Montana Environmental Information Center (MEIC) is a non-profit environmental advocate committed to preserving Montana's clean, air, water and land. On behalf of our over 4,000 members we appreciate the opportunity to comment on the draft energy policy developed over the last year by the Energy and Telecommunications Interim Committee (ETIC). MEIC has long been involved in state-level energy policy. We are supportive of the committee's goal to develop a comprehensive energy policy that reflects input from the public, staff, and legislators.

The process of developing an overarching energy policy for the State has provided lawmakers and the public with a unique opportunity to closely examine nine specific energy issue areas during the interim. When making final revisions to the state's energy policy, the committee should take a broader look at the State's energy policy and determine whether the statements are cohesive, innovative, timeless and sustainable.

We believe that a sustainable State energy policy supports clean, safe and efficient renewable resources that save Montanans money and have the least impact on our environment. The final energy policy adopted by the committee should uphold the goal in MCA 90-4-1001 "to promote energy efficiency, conservation, production and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic costs and the greatest long term benefits to Montana citizens." An energy policy built on these components provides a strong foundation for future decisions related to energy development in Montana.

MEIC strongly supports the statements in the draft energy policy that encourage energy efficiency, conservation, and responsible renewable energy development. We have serious concerns with provisions in the draft energy policy that keep us tethered to a dirty, unsafe and inefficient energy system.

1) Energy policy should recognize existing and future costs of coal

MEIC submitted comments during the November 9th meeting with background information and analysis on the true costs of coal-fired generation to society. We would like to incorporate by reference those comments, and based on those comments, and the overwhelming public comments on coal's health and

environmental costs, suggest changing section (b) to “supplementing energy needs with renewable energy sources, while recognizing the **costs and benefits** of existing coal-fired generation and its place in Montana’s energy portfolio.” The EPA has already issued rules and will be enforcing stricter regulations on mercury, sulfur dioxide and other pollutants from coal-fired power plants. Requirements for best available technology to control these emissions will certainly increase the cost of electricity from coal. In addition, the energy policy should recognize the likelihood of impending carbon regulations and costs that will further increase the cost of coal-fired power.

2) An energy policy should be cohesive.

The statements in the draft energy policy seem to be at odds with one another. While some of the statements emphasize the vital role of energy efficiency and renewable energy in Montana’s future energy profile, others place a priority on unchecked development of nonrenewable and dirty energy of the past. An effective energy policy conveys a unified vision to conserve, develop, and transport our energy resources in a way that does not undermine the goals of MCA 90-40-1001 Section 1 (a).

3) An energy policy should not contain wish lists or laundry lists

The energy policy should be a timeless document that guides future actions and decisions related to energy acquisition and development in Montana. Many statements in the draft energy policy contain “laundry lists” promoting specific types of nonrenewable and renewable technologies. For example, Section (1)(c) promotes “development of projects using technologies that convert coal into electricity, synthetic petroleum products, hydrogen, methane, natural gas, and chemical feedstocks...” similarly, Section (1)(p) encourages the “testing and application of new and innovative technologies, such as compressed air energy storage, batteries, flywheels, hydrogen production, smart grid, smart garage, and intra-hour balancing services to address wind integration.” By listing specific technologies it is likely that the energy policy will be a static document that will become irrelevant and outdated as new technologies emerge. We recommend that the committee leave these laundry lists out of the final energy policy.

4) An energy policy should be based on facts. Statements should be related to the original nine policy topics

Statements on oil, gas, and petroleum were inserted into the draft energy policy at ETIC’s May 13th meeting without factual information or research to support them. For example, the statement in Section 1 (g) “recognize the value of Montana’s petroleum refining industry as a significant contributor to Montana’s manufacturing sector in supplying the transportation energy needs of Montana and the region.” Montana’s petroleum refining industry does not necessarily supply energy

transportation needs of Montana or other states in the region. Where are the numbers to support this statement? How much of petroleum refined in Montana is used in Montana or this region?

An energy policy should be based on fact, not a platform for last-minute opinion statements and commentary about increasing oil and gas development. Furthermore, Sections (e) through (g) do not fall under any of the nine broad statements the committee was to address in accordance with SB 290. During each interim meeting, the committee has heard presentations and public comment on three of the nine statements listed in SB 290. Each of the statements in the draft energy policy should be related to those nine topics and reflect public comment and facts presented to the committee. If statements e, f, and g are included they will not have been adequately analyzed because they did not go through the same evaluation process as the other topics.

To be more accurate and factual, Section (f) should be changed to “expand technological innovation, including using carbon dioxide for **carbon sequestration**” (not enhanced oil recovery). Technology for enhanced oil recovery already exists, but carbon sequestration technology is going to be necessary, as new regulations for carbon dioxide emerge.

5) Energy policy should support development of small-scale, distributed renewable energy

The draft energy policy encourages renewable energy development, but only focuses on policies that promote large-scale renewable energy. Montana’s energy policy should support incentives that will encourage individual, and community-based small-scale renewable energy development. Developing large-scale forms of renewable resources creates more clean energy available for export, but also requires more transmission and generation infrastructure. Small-scale wind projects that are owned and installed by individuals, or collectively owned by the community do not have the same private property issues as industrial-sized projects and can be developed anywhere if the right incentives are in place. We recommend that the committee include statements supporting policies to promote small renewable energy projects such as feed-in-tariffs and provisions for community net-metering. Montana’s energy policy should recognize the economic and environmental value of dependable and sustainable small-scale distributed generation.

5) Statements supporting efficiency and conservation should come first in the energy policy

If energy efficiency is going to be the “cornerstone of the energy policy in Montana,” the statements encouraging development of energy efficiency and conservation should be the leading statements. Energy efficiency should be the number one

priority, and the energy policy should reflect that. Sections (w through z and aa through cc should be immediately after statement a in the draft energy policy.

The draft energy policy statements should be revised so that they are more unified, eliminate laundry lists, prioritize efficiency, recognize the value of small-scale renewable energy development, and remove opinion statements. These changes will result in a more effective and effective energy policy. Most importantly, it will put Montana on a path to a more clean, sustainable, and innovative energy future.

Sincerely,

Kyla Wiens, Energy Advocate



Alternative Energy Resources Organization
432 N. Last Chance Gulch
Helena, MT 59601
Phone: (406) 443-7272 / Fax: (406) 442-9120
Email: aero@aeromt.org / Web: www.aeromt.org

July 7, 2010

Rep. Robyn Driscoll, Chair

and Members of the Energy & Telecommunications Interim Committee
c/o Ms. Sonja Nowakowski
Montana Legislative Services Division
State Capitol Room 171
Helena, MT 59620-1704

Dear Madame Chair and Members of the Committee,

Thank you for considering our comments as you revise Montana's Energy Policy (LC 6000). AERO—Montana's Alternative Energy Resources Organization, is a membership driven 501(c)(3) non-profit that has been building community and promoting sustainable agriculture and energy solutions since 1974. AERO is supported by more than 1,000 household and business members around the state.

We wish to thank the Committee for prioritizing energy efficiency, conservation and continued renewable energy development in this draft Energy Policy. However this policy statement does not go far enough. Specifically we suggest the following changes to the current draft:

1. Emphasize the importance of prioritizing energy efficiency by moving the efficiency sections to the front of this policy statement. Regardless of political persuasion, everyone recognizes that saving money by saving energy makes sense.
2. Spur Montana-based economic development by strengthening your statements of support for small-scale renewable power production. Roof top solar panels and back yard wind turbines are sold and installed by Montana-based small businesses. Furthermore, the energy savings and profits from this form of clean power production stays in the state rather than being siphoned off by out of state business and shareholders. Distributed renewable energy production also decreases the need for costly and controversial new transmission lines.
3. Remove laundry lists of specific energy technologies that will be quickly outdated. This should be an energy policy that stands the test of time.
4. Eliminate statements that further tie our fragile economy to finite and polluting fossil fuel sources. Lasting economic recovery will come from saving energy and investing in renewable energy supplies.

We have reached a turning point where our economy, environment and communities require a fundamental shift in the way we generate and use energy. **The finite supply of fossil fuels on which our entire economy is built will run out.** Whether global energy production peaks and then begins declining in one year, 10 years or 100, society will be forced to transition to live with much less cheap energy in our gas tanks, illuminating our light bulbs, and fueling our home heaters. Dr. Fatih Birol, Chief Economist of the International Energy Agency anticipates oil production peaking in 2020, while other experts say the peak has already passed (some say July of 2008) and that oil production will never reach that volume again. Global coal supplies, once thought of as nearly infinite, are now being examined with the same critical eye. Recent research by Richard Heinberg (*Blackout: Coal, Climate and the Last Energy Crisis*) points to a peak in economically recoverable coal supplies within two decades. Furthermore, Earth's atmosphere in which civilization has flourished over the last 10,000 years is being drastically and dangerously altered by the combustion of fossil fuels in our vehicles, industries and power plants, and "cleaning" fossil fuels simply is not economically viable, even if it were theoretically possible.

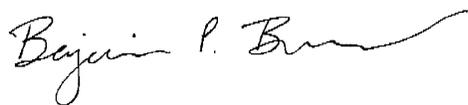
Fossil fuels have been a tremendous resource, but continuing to mine and burn them is like heedlessly emptying a once vast savings account. **We need to get back to meeting our needs with our income,** which in energy terms means tapping into clean, renewable energy sources.

However, the prospect of replacing all of the fossil energy supply our world currently uses with solar, wind, flowing water, biomass and geothermal energy is far-fetched at best. We simply need to stop wasting energy—in whatever form; we need to do more with less. The good news is that we have all the tools close at hand to accomplish this.

As lawmakers, it is your responsibility to help Montana ease into the inevitable transition to a post-fossil fuel society, in order that generations to come may prosper and that the environment we depend on does not disintegrate further. It does not serve the future to drill and mine ourselves into a hole that is too deep to get out of when fossil fuels run dry. **The cheapest and easiest path through this transition is simply to use less, and to produce what we do use closer to home from clean, renewable sources.**

Once again, thank you for considering AERO's comments in your deliberation.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Brouwer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Ben Brouwer

Energy Program Manager

Nowakowski, Sonja

From: John & Sue Pullman [johnsuepullman@yahoo.com]
Sent: Wednesday, July 07, 2010 4:40 PM
To: Nowakowski, Sonja
Subject: energy policy

Dear Sonja, Please consider the following: Local energy produced locally is certainly in our future. Transmitting electricity thousands of miles is very inefficient, unsightly, a huge target for potential terrorists, and has many health hazards to humans and animals. Our Governor needs to look forward to what is coming, and not backwards at one hundred year old technology. This energy policy fits hand in glove with big corporate interests but not the interests of farmers and ranchers and everyday Montanans. There is no way that all these lines can be built without breaking the backs of the rate payers. It is a taking of private land and putting its equity in the pockets of shareholders and CEO's of corporate Montana.

Thank you, Susan Pullman
1040 HWY 69
Cardwell, MT 59721 (406) 490-9439



July 7, 2010

To: Energy and Telecommunications Interim Committee

From: Diego Rivas, Northwest Energy Coalition

Re: Energy Policy Public Comment

In response to the request for public comment on the proposed energy policy for Montana, please accept the following comments on behalf of the NW Energy Coalition.

Montana, like much of the nation, currently stands at an energy policy crossroads. Energy efficiency and conservation are the cheapest, cleanest and most immediately available forms energy we have. But the 2009 State Energy Efficiency Scorecard from the American Council for an Energy Efficient Economy rates Montana 31st among all states, a drop of 10 places from the year before.

The NW Energy Coalition applauds the committee for recognizing energy efficiency as a primary resource and “allow[ing] energy efficiency and conservation to form the cornerstone of Montana’s energy policy, recognizing that efficiency and conservation have the potential to meet the majority of Montana’s growing energy needs and save consumers money on their energy bills.”

To meet the efficiency targets in the Northwest Power and Conservation Council’s recently released Sixth Power and Conservation Plan – roughly 147 average megawatts in the Western Montana alone – Montana should encourage energy efficiency on both sides of the meter. The state should adopt policies that encourage both investor-owned utilities and rural electric cooperatives to achieve all-cost effective efficiency savings available on their systems. At the same time, Montana should continue and expand upon incentives for energy efficiency investments in the residential, commercial and industrial sectors.

The draft energy policy overlooks the need for financing for energy efficiency improvements. Montanans are eager to make their homes and businesses more energy efficient, but many – especially in these tough economic times – simply cannot afford the upfront costs of improvements despite the certain long-term savings. Montana should consider policies that make it easier to finance voluntary energy efficiency improvements. We look forward to working with you to develop mechanisms that allow localities to finance energy efficiency projects should they choose to do so.

Reducing consumption involves technology, such as energy efficient light bulbs, and behavior, such as turning off a light when not in use. Both save energy and lower energy bills. We should not be encouraging consumption, as the Committee appears to do in

Section 1 (a). We suggest changing the relevant section to read: “promote energy efficiency, conservation, and production ~~and consumption~~ of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic costs...”

We would stress that realizing “the least social, environmental, and economic costs” requires a shift away from fossil fuels such as coal and oil and toward a clean energy economy focused on energy efficiency and increased renewable energy development. The Sixth Northwest Power and Conservation Plan says the region can meet more than 85% of its new load growth with energy efficiency alone, and most of the rest with new renewables. The plan sees little or no need for new fossil fuel development. Montana should follow the plan’s recommendations and move away from climate-polluting coal – a move that will ultimately save the state millions of dollars.

Thank you for your consideration of these comments.

Respectfully,

Diego Rivas, Montana Energy Efficiency Advocate
NW Energy Coalition

Nowakowski, Sonja

From: Steve Scarff [steve@bridgeband.com]
Sent: Wednesday, July 07, 2010 4:48 PM
To: Nowakowski, Sonja
Subject: Montana's energy blueprint

Dear Energy Interim Committee,

Our state, our nation, and our world need clean, efficient energy!
Efficiency and conservation should be at the foundation of any energy policy.

Montana should also promote affordable, renewable energy like wind power. Solar power should also be used wherever it's economical.

I'm sure you're aware the EPA is beginning to regulate carbon emissions in order to mitigate climate change. Montana needs to look to the future, not the past. It's high time for our state to make serious plans to phase out the use of fossil fuels as soon as possible. Over 90% of climate scientists agree greenhouse gases are already changing our climate, and it will only get worse. Considering also the environmental consequences of BP's oil nightmare in the Gulf of Mexico, the devastation caused by mining the Alberta tar sands, and the dirty consequences of mining and burning coal, promoting continued reliance on fossil fuels would be insane.

Sincerely,

Steve Scarff
214 S Church Ave
Bozeman, MT 59715

Nowakowski, Sonja

From: pucowgirl@aol.com
Sent: Wednesday, July 07, 2010 5:19 PM
To: Nowakowski, Sonja
Subject: Energy Policy

Attn. Sonja Nowakowski,

We are private landowners effected by 2 of the possible NWE transmission line routes. We feel we should have been personally notified of any intend to place transmission lines on or near our property---which we were not.

We write to ditto the comments on the MSTI project expressed by the Move MSTI group and Dickie Nelson. They have expressed most of our opinions of the project , i.e. the lack of need of such a transmission line for MONTANANS and the "silly-ness" of a project with no committed energy sources and no committed recipients.

We hope you will consider MONTANANS in your decisions and veto this NWE transmission project!!!!

Sincerely,

Paula, Terry , Jason and Jeffrey Scott

Nowakowski, Sonja

From: John & Dorothy Seymour [seymourjohn@earthlink.net]
Sent: Wednesday, July 07, 2010 9:39 PM
To: Nowakowski, Sonja
Subject: Energy Policy
Attachments: Energy Policy.doc

We are writing as a concerned citizens and property owners in Beaverhead County regarding NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are our specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia.
10. Private land owners who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
12. NWE has been working on MSTI "under the radar," without notification and consideration to Beaverhead County landowners and residents.

13. Beaverhead County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds.

The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"

2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*

3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."*

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. *Montana Law: MCA 70-30-110: "Survey and location of property to be taken – greatest public good."*

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. *Montana Law: MCA 90-4-1001 "promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent*

the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS"

Sincerely,

John & Dorothy Seymour

Owners of Johnson Saddlery

125 W Bannack Street

Dillon, MT 59725

(406) 683-4452

Nowakowski, Sonja

From: Roberta Raffety [raffety@3riversdbs.net]
Sent: Wednesday, July 07, 2010 10:08 PM
To: Nowakowski, Sonja
Subject: Energy Policy

July 7, 2010

To: Sonja Nowakowski

Member of the Energy and Telecommunications Interim Committee

From: Mark Raffety/Raffety Cattle Co.

Subject: Montana Energy Policy

Montana's Energy Policy needs to reflect the people who live and work in Montana. This policy should focus on serving *our* energy demands and not on producing energy to be exported to other states. We should focus our efforts on efficiently utilizing the power we are producing. When we develop the technology to produce power from wind, solar, or other renewable resources in an economical manner, we can faze out our coal fired electrical plants. While our coal plants are feasible, the coal can and should be transported by rail to the areas that require energy now. Producing energy as close as possible to the point of consumption can prevent transmission losses of up to 40 %. This also utilizes existing infrastructure with out costing billions in building new transmission lines that pose health risks, seize private property, lower land values, and affect our tourism industry.

Montana wind generated electricity can not be cost effective when it has to be transmitted 1500 miles to its end use. It will be sold to compete with solar energy that is produced within 200 miles of Los Angeles. There are 56 proposed or functioning solar projects in California and Nevada at this time. We can not presently produce enough wind power to fill a 500 Kv line. Wind only blows approximately thirty percent of the time in Montana. This is not enough renewable energy to justify the "fast-track" construction of expensive, lengthy transmission lines that Governor Schweitzer is pushing for. MSTI is a perfect example of this. Anyone who does any digging into green energy quickly finds out that building more transmission lines will not be promoting cheaper, greener energy. The only Montanans who benefit from these large inter-state transmission lines are the transmission companies, and politicians who can claim they are promoting economic development by exporting "green" energy! Isn't that called "Green-Washing"?

I hope that you will form our new energy policy by doing what will benefit all Montanans and not allow political pressure to sacrifice the rights and needs of our state.

Thank you for your consideration,
Mark Raffety



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I am writing as a concerned citizen of Madison County about Northwestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MSTI will cost about a billion dollars where most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
3. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options.
4. By law, NWE is allowed to fold its property taxes into my bill.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets.
7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.
8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan resident's treasure. Much money has been spent to preserve the Big Hole Watershed and the wildlife that live there. Now the proposed MSTI line will be disrupting the very area that large amounts of money have been spent to protect and preserve.
9. NWE admits on their website health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia. Not to mention the disruption of wildlife patterns to avoid these fields of energy.
10. Private land owners, who do not provide access for the line, could lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations.
11. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution.
12. NWE has been working on MSTI "under the radar," without notification and consideration to Madison County landowners and residents.
13. Madison County ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred view sheds.

The following obstacles have been encountered with Northwestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizen's questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public."

2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."

3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. Montana Law: MCA 75-1-103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."

4. When sitting on private lands for these export transmission lines is a necessity, eminent domain should not be used. The government should stand up and protect its citizens and private property rights. Legislation needs to be enforced. Montana Law: MCA 70-30-110: "Survey and location of property to be taken -- greatest public good."

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. Montana Law: MCA 90-4-1001 "promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and

economic cost and the greatest long-term benefits to MONTANA CITIZENS". None of these requirements in MCA 90-4-1001 fit the MSTI line.

Sincerely,

Lynn Lowder
116 Lewis Ln
Twin Bridges MT 59754
406-684-5785

Nowakowski, Sonja

From: Kent Mollohan [kentm123@live.com]
Sent: Wednesday, July 07, 2010 10:24 PM
To: Nowakowski, Sonja
Subject: energy policy

Hello. I've read the proposed draft of the legislation to improve our energy policy, and it reads like a veiled praise of green house gases for all. Why not just amend the laws to add renewables in forms that are probable, not just dreams of dirt diggers in this state? Why not emphasize and then reward those in this state who provide energy conservation first, and efficiency second, and avoid the damages you'll cause with continued support of dirty energy, and wasting of earth's other resources, oh, like, wildlife, sealife, marshlife, or life itself? Why not get on board for the revolution to finally reach a clean, environmentally safe, and earth-rewarding energy movement now, instead of simply dying in the dark with your gas mask on? Why not ask some tougher questions of the Legislature, now, not when it's too late. Kent Mollohan, 524 South Roberts, Helena, MT 59601

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

Nowakowski, Sonja

From: Katherine Richter [krichter3320@yahoo.com]
Sent: Thursday, July 08, 2010 11:58 AM
To: Nowakowski, Sonja
Subject: Energy Policy: Hello from Dillon, MT

Ms. Nowakowski,

My husband and I purchased a home in Dillon, MT., Beaverhead County, because this community represents and offers the ideal place to enjoy and appreciate the unspoiled beauty of the mountains and rivers of the West, albeit as part-time residents. Recently, we have been considering making this our permanent residence. Robert is an avid fisherman and hunter. I am desirous of starting a small business in Dillon. For us, it truly is "The Last Best Place". Every year, we invite family and friends to visit and enjoy the area we have come to love. Like us, they may be forced to reconsider the desire to spend time here, invest resources here **or** spend money here. We believe that MT Legislators would be deemed shortsighted and foolish to allow the MSTI project to go forward. Any short-term gains you think would come to Montana would soon be offset by people like ourselves deciding not to remain as residents or visitors to the area. Yes, Montana needs jobs--but MSTI is not the answer. We support the following statement, that was so thoughtfully provided us, for your consideration. Please share my concerns with all who may be interested.

Respectfully,

Katherine Richter

I am writing as a concerned citizen of Beaverhead County about NorthWestern Energy's proposed 500 kilovolt (kV) MSTI line.

Here are my specific concerns:

1. MISTI will cost about a billion dollars and it's feared that most funds will come from federal tax sources (i.e., stimulus).
2. NWE says it is a wind-energy line, but it is directly tied to dirty coal energy from Colstrip. MSTI would also be grossly overbuilt for Montana's projected wind power and wind providers have recently pulled their proposals.
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4. By law, NWE is allowed to fold its property taxes into your bill. More lines, more taxes, bigger bills.
5. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California.
6. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even

connected to the markets.

7. There is a HUGE question of need. AZ, NV and CA have better, less expensive and largely in-state energy solutions.

8. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure.

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The following obstacles have been encountered with NorthWestern Energy:

1. Public concerns and opinions disregarded. At the first open house meetings officials refused to answer citizens questions. NWE handed Eminent Domain booklets at the beginning of open house. This is completely incongruent with the DEQ's guiding principles -- "*We respect the public and recognize the value it places on the environment and its interest in the work of DEQ. Therefore, we encourage public input to our analyses, decision making and all other aspects of DEQ's work. We will provide the public with our analyses and the implications of DEQ's decisions and any other information the citizens want within legal constraints. We will encourage and consider public input in our decision making processes and make open decisions that are clear, understandable, and accessible to the public.*"

2. Public not being respectfully and properly notified. Landowners should have received personal letters of notification the same as did the federal and state agencies, legislative representatives, and environmental groups, as per *MONTANA LAW: 75-20-211. Application -- filing and contents -- proof of service and notice: "An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application."*

3. The power companies, federal agencies, DEQ and environmental groups devise plans of what they are going to do to private property without the input of landowners. Landowners were the last to know; citizens only have one month to comment after the application is considered complete by DEQ whereas other entities have over three years to comment; landowners are alone in their plight to save their property (DEQ works closely with the power company but not the landowner); public is not included in any negotiations of route changes with DEQ and the agencies. *Montana Law: MCA 75-1-*

103: "The legislature recognizes that each person is entitled to a healthful environment, that each person is entitled to use and enjoy that person's private property free of undue government regulation, that each person has the right to pursue life's basic necessities, and that each person has a responsibility to contribute to the preservation and enhancement of the environment. The implementation of these rights requires the balancing of the competing interests associated with the rights by the legislature in order to protect the public health, safety, and welfare."

4. When siting on private lands for these export transmission lines is a necessity, eminent domain should not be use. The government should stand up and protect its citizens and private property rights. Legislation is It needs to be enforced. Montana Law: MCA 70-30-110: "*Survey and location of property to be taken – greatest public good.*"

5. MSTI does not benefit Montanans and there is not a strong argument of need outside of Montana. Montana Law: MCA 90-4-1001 "*promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS*"

Sincerely,
Robert K. and Katherine J. Richter



53 SW Yamhill Street
Portland, OR 97204

503.222.9400 phone
503.222.9404 fax

July 6, 2010

Legislative Services Division
ATTN: Energy and Telecommunications Interim Committee
PO Box 201706
Helena, MT 59620-1706

To the Members of the Energy and Telecommunications Interim Committee:

I am writing in regards to the Energy and Telecommunications Interim Committee's (ETIC) work on reviewing and potentially revising the energy policy for the State of Montana. We support your efforts and thank you for clearly stating the State's policy for the promotion of alternative energy generation, and specifically, the long-term growth of large-scale utility wind generation.

Montana ranks 3rd for wind energy potential nationwide, but development of this resource is constrained by transmission capacity to export wind power to load centers. To that end, Horizon Wind Energy (Horizon) would like to highlight a specific set of goals within LC 6000 that are particularly timely for the State of Montana in developing your rich wind resources.

Included within LC 6000 are the following goals related to electrical transmission:

- (l) urge developers and utilities to increase the capacity of existing transmission lines in existing corridors and maximize the potential of existing lines;*
- (m) urge developers who develop new transmission lines in Montana to work closely with all affected stakeholders, including local governments, in the preliminary stages of development;*
- (n) ensure that the costs of transmission lines that allow for the export of Montana-generated electricity are borne by those who will benefit from the lines to protect Montana's ratepayers from the costs of serving others*

Horizon is supportive of responsible development of transmission lines within Montana and concurs that increasing the capacity of existing lines needed to deliver renewables is a critical policy goal for efficient development.

Various studies and research including the Rocky Mountain Area Transmission Study (RMATS) have identified that adding upgrades to the existing 500 kilovolt Colstrip transmission line that runs east to west in Montana is the best near-term transmission solution. Upgrading this line is a relatively inexpensive, non-wires solution that would allow an additional 500 to 600 MW of clean, renewable wind energy to be developed and exported from Montana to the Bonneville Power Administration (BPA) system in the Northwest.

Currently, projects that transmit power on the portion of the Colstrip transmission line known as the Montana Intertie have to pay a Montana Intertie rate plus the BPA Network, creating a 'pancake' of two rates that challenge the economic viability of projects transmitting power on this line.

Horizon and others are advocating that BPA roll the Montana Intertie rate into the BPA Network transmission rate, thus eliminating the 'pancake.' Rolling the Montana Intertie into the BPA Network rate would meet the goal of the ETIC of making sure that the cost of transmission was equitably shared.

Developing Montana wind is important to the people of Montana; it brings new industry and significant economic development. Further, it helps the State to achieve a number of the policy goals stated in the energy policy: increasing utilization of Montana's vast natural resources, increasing the nation's energy independence by creating homegrown energy, and creating jobs in the renewable energy economy.

Again, we are writing in support of the goals in LC 6000 and wanted members of the ETIC to be aware that this is a timely discussion for the BPA Rate Case.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Siqveland".

Ann Siqveland
Project Manager

Nowakowski, Sonja

From: Marie Anne Hasenkrug [mhasenkrug@hotmail.com]
Sent: Friday, July 09, 2010 11:33 AM
To: Nowakowski, Sonja

To whom it may concern:

Let's be leaders with our energy policy. Let's really preserve Montana lands for future generations. Let's stop relying on fossil fuels and contributing to global warming. Let's truly dedicate ourselves to conserving energy and developing clean energy.

Sincerely,
Marie Anne Hasenkrug
406 642-3603
1990 Red Crow Road
Victor, MT 59875

The New Busy think 9 to 5 is a cute idea. Combine multiple calendars with Hotmail. [Get busy.](#)

Nowakowski, Sonja

From: April Huss [alm813@yahoo.com]
Sent: Friday, July 09, 2010 11:54 PM
To: Nowakowski, Sonja
Subject: Letter opposing MSTI project

Hi

I am writing as a concerned citizen about NorthWestern Energy's (NWE) proposed 500 kilovolt (kV) MSTI line. I oppose the proposed MSTI line because: 1. It would be grossly overbuilt for Montana's projected wind power, and wind providers have recently pulled their proposals. The scale of this project does not match the need! 2. Montanans will have no access to this energy. It is destined for AZ, NV and CA, states that have less expensive, in-state energy options. 3. By law, NWE is allowed to fold its property taxes into our bills. More lines, more taxes, bigger bills. 4. No law can stop NWE from charging Montana customers the higher rates charged to their customers in California. 5. NWE has not secured transmission of the electricity past southern Idaho, so NWE is not even connected to the markets. 6. The MSTI line will result in a permanent loss of the open and scenic landscape that southwest Montanan residents treasure. Beautiful scenery that I want to be able to share with my children and grandchildren! 7. NWE admits to health effects from the Electromagnetic Fields (EMF's), such as childhood leukemia. I have two young children whom I try to provide a healthy environment and food, so this is NOT reasonable at all, for my family or any other family! 8. Private land owners, who do not provide access for the line, may lose their right through eminent domain – transferring wealth from ranchers and the general public to corporations. 9. There will be inadequate compensation to counties on the line for loss of future growth and economic development (e.g. tourism, recreation) caused by visual pollution. 10. Ranches and farms on the route will lose grazing and agricultural land to towers, have irrigation pivots impeded by towers, lose rights-of-way and have to live with the effects of EMF fields, maintenance roads and marred viewsheds. 11. This is NOT a "green" line. Even if NWE had wind providers, the amount of space designated to wind power is miniscule. The line will primarily accommodate brown energy sources, such as coal. NWE is an investor-owned company. Profits are made in Montana, and enjoyed by out-of-state investors who don't care if our rates go up, our rural landscape is industrialized, our property values significantly decrease, NWE's CURRENT infrastructure is greatly in need of upgrades, Montanans foot the bill when this ill-conceived proposal fails. Montana Law: MCA 90-4-1001 states elected officials should "promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic cost and the greatest long-term benefits to MONTANA CITIZENS."

I highly disagree with this proposal. I would like NWE to show some common sense when it comes to the MSTI project, this benefits only those who will not be viewing or reaping the unhealthy side effects from it all. A last though...how many of those NWE employees actually live in the proposed tower-viewing area?

Thank you for your time,
Sincerely,
April Huss

Nowakowski, Sonja

From: wwranch@3rivers.net
Sent: Sunday, July 11, 2010 11:57 PM
To: Nowakowski, Sonja
Cc: wwranch@3rivers.net
Subject: NET METERING legislation where citizens can get paid like in Iowa

Sonja, could you please add Net-Metering into the legislation considerations, and net-metering where we citizens can stop giving our excess away for free, but instead get PAID for our energy like Iowa allows??

I've been trying to advance this for years, but it seems that PPL, NWE oppose it, and also co-ops, always siting 'safety' as the reason they can't do it.....this 'micro' effort could complement the 'macro' windfarm and transmission initiatives as well.

Better yet, we should have FEDERAL net-metering standard that encourages and promotes citizens to INVEST in systems, especially farmers and ranchers where we could capitalize our investment and IF we had that, that would be the TIPPING POINT I believe.....

Richard Liebert
Chair, Citizens for Clean Energy, Inc.

ps - imagine how much clean energy R & D and applications we could do NOW instead of sending billions to suck out tar sands, but instead use for clean energy here now?

Nowakowski, Sonja

From: Elizabeth & Wilbur Wood [rewood@midrivers.com]
Sent: Monday, July 12, 2010 2:28 AM
To: Nowakowski, Sonja
Cc: Ben Brouwer; Jonda Crosby; Max Milton; Gloria Flora; Cliff Bradley; Steve Loken; Pat Dopler; Tom Butts; Jennifer Hill-Hart; Brett Tallman; David Oien; Jeffrey Funk; Kelsey Bauer
Subject: Conservation and renewables should be focus of Montana energy policy

July 12, 2010

Hello Sonja:

The Montana legislature's Energy and Telecommunications Committee is proposing an energy "blueprint" to guide State policy, and has asked for citizen comments. Here are mine.

Three years ago, in June 2007, AERO--Montana's Alternative Energy Resources Organization--published its own blueprint: "Repowering Montana: A Blueprint for Home Grown Energy Self-Reliance". The nine authors of this 106-page document (I am one of the nine) argue that Montana can handle all its internal energy needs, for fuel and electricity, through smart, aggressive energy conservation and the steady phasing in of renewable energy resources. (AERO's Blueprint can be perused, and downloaded, at www.aeromt.org.)

Over the past three years, events in our world have confirmed the validity of AERO's perspective and added even more urgency to its message. The ongoing oil blowout in the Gulf of Mexico, an ocean and seashore catastrophe, parallels the ongoing freshwater catastrophe in Alberta (and, soon, in Saskatchewan) where at enormous expense oil is being squeezed out of tar sands. Both of these catastrophes make clear how our addiction to finite, polluting fossil and radioactive fuels threatens Earth's climate and biosphere, and undermines our human economy and society.

Montana now is beyond the moment when we can have it both ways, tapping into wind power while continuing to mine and burn coal, weatherizing houses and schools and business buildings while continuing to transport people and things between them in vehicles powered by petroleum. This is a waste of money, time and our human spirit.

For the sake of our future, for our children's and their children's future, let us stop investing in energy sources like coal, whose time has passed; let us stop pretending that unproven technologies like carbon capture and sequestration ever can work at a price that we can afford.

The only future that makes sense, for Montana and the planet, is saving energy, turning waste to weath, and generating

what we need from Earth's own heat, Earth's own tidal rhythms, from flowing water and growing plants, from wind and sun.

Let us invest wisely and wholeheartedly in that future.

=====Wilbur Wood

StoneHouse Productions
rewood@midrivers.com

Elizabeth & Wilbur Wood
Box 12 Roundup, Montana 59072

Nowakowski, Sonja

From: Russ Doty [iwin4u1@earthlink.net]
Sent: Monday, July 12, 2010 9:37 AM
To: 'Elizabeth & Wilbur Wood'; Nowakowski, Sonja
Cc: 'Ben Brouwer'; 'Jonda Crosby'; 'Max Milton'; 'Gloria Flora'; 'Cliff Bradley'; 'Steve Loken'; 'Pat Dopler'; 'Tom Butts'; 'Jennifer Hill-Hart'; 'Brett Tallman'; 'David Oien'; 'Jeffrey Funk'; 'Kelsey Bauer'
Subject: RE: Conservation and renewables should be focus of Montana energy policy

I join in Wilbur's remarks, Sonja.

Russ Doty

From: Elizabeth & Wilbur Wood [mailto:rewood@midrivers.com]
Sent: Monday, July 12, 2010 2:28 AM
To: Sonja Nowakowski
Cc: Ben Brouwer; Jonda Crosby; Max Milton; Gloria Flora; Cliff Bradley; Steve Loken; Pat Dopler; Tom Butts; Jennifer Hill-Hart; Brett Tallman; David Oien; Jeffrey Funk; Kelsey Bauer
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=====Wilbur Wood

StoneHouse Productions
rewood@midrivers.com

Elizabeth & Wilbur Wood
Box 12 Roundup, Montana 59072

Nowakowski, Sonja

From: Cheryl Reichert [creichert@bresnan.net]
Sent: Monday, July 12, 2010 10:01 AM
To: wwranch@3rivers.net
Cc: Nowakowski, Sonja
Subject: NET BILLING

Rich & Sonja-

Thanks for bringing up this important point. It needs to be coupled with "net billing" to provide incentives for farmers and ranchers to install windpower that will offset electrical costs at all their meters instead of just to one meter. I believe California has that provision already.

Cheryl

On Jul 11, 2010, at 11:56 PM, wwranch@3rivers.net wrote:

> Sonja, could you please add Net-Metering into the legislation
> considerations, and net-metering where we citizens can stop giving our
> excess away for free, but instead get PAID for our energy like Iowa
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>
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> for clean energy here now?
>
>
>

RECEIVED

JUL 12 2010

OFFICIAL PUBLIC COMMENT
to Energy and Telecommunications Interim Committee (ETIC) ENVIRONMENTAL
on proposed revisions to State of Montana Energy Policy OFFICE
from Save Scenic Jefferson Valley Coalition

Energy policy is influenced by extensive lobbying from well-financed corporate and environmental interests. **Save Scenic Jefferson Valley Coalition** represents communities and families with limited resources but facing profound consequences from Montana's energy policy decisions. Accordingly, we limit our official comment to two main points Montana's energy policy must address to protect communities and families while promoting Montana's economy and clean energy future.

First, public agencies such as Montana Department of Environmental Quality (DEQ) must site high-voltage export transmission lines to use public land for public benefit.

With respect to the proposed Mountain States Transmission Intertie (MSTI), NorthWestern Energy and its political proponents have wrongfully targeted our towns and families with MSTI for business and political expedience. NorthWestern Energy made a business and political decision that it would be easier and cheaper to cram MSTI down the throats of communities and families than fight well-financed environmental groups over using public land routes. But it is not legal for Montana DEQ and Bureau of Land Management (BLM) to route MSTI on undesignated, unimpacted private land if an already federally designated, already impacted energy corridor is available for MSTI. State and federal law requires agencies to prefer the designated federal energy corridors on public land that taxpayers have already paid to establish. We are dismayed that the very public agencies we rely on for protection have been complicit in this strategy that harms Montana communities and families.

Second, the state's process for siting high-voltage export transmission lines through scenic and productive Montana lands *must change* to embody greater accounting for the damages those lines cause communities and families.

Recently, DEQ reacted to justified public outrage in Butte over NWE's preferred MSTI route by creating a new route that avoids Butte but surrounds Whitehall instead with some 250 14-story structures. DEQ's disregard for Whitehall and its families is unfortunately evident from its treatment of Whitehall in the leaked draft Environmental Impact Statement (EIS) for MSTI. The word "Whitehall" does not appear on any map in the leaked draft EIS, despite the document's running to thousands of pages. Whitehall is the largest incorporated area in Montana that MSTI would run through, yet Whitehall is nowhere mentioned in the section on MSTI's "Human Impacts."

We implore the ETIC to include and publish photos from the attached document with our official public comment. There is no other way to reflect the impacts that the proposed MSTI and subsequent export lines to follow will cause on the land and landscape. Allowing such facilities to target towns and families is not the legacy a Montana energy policy should leave for our children.

ETIC's decisions regarding Montana's energy policy will have profound environmental consequences upon Montana communities and families. The environmental costs of high-voltage export transmission lines must be realistically accounted for. Stewardship of Montana's land and landscape deserves "green equity" alongside laudable renewable energy goals. The legitimate interests of communities and families must be fairly represented against corporate interests.

The signatories are members of the Save Scenic Jefferson Valley Coalition. Dated July 7, 2010.

Signature

Printed name and address

Zona S. Hale ZONA S. HALE 183 KIMPTON UPPER LN. TOSTON, MT 59643

Grace A Hopper GRACE A HOPPER 86 Antelope Rd Townsend mt 59643

Carole Wortman Carole Wortman PO Box D Boulder, MT 59632

Leonard Wortman Leonard wortman BOX D Boulder mt. 59632

~~remove~~ Jan Andersen Boulder Mountain Park Dr, Boulder, MT 59632

Rebecca Kelch Mitchell Rebecca Kelch Mitchell, POB 739, Townsend, MT 59644

Wayne Mitchell Wayne m. Mitchell, POB 739, Townsend, MT 59644

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CHUCK MAZUREK 51 ROCK RIDGE DR @ Lanky MT 59634

Susan Pullman SUSAN PULLMAN 1040 HWY 69 CARDWELL MT 59721

Debra Hanneman Debra Hanneman 107 Whitetail Road White Tail, MT 59759

Village of Pecos PO Box 13 Townsend MT 59644

Nicholas Judd PO BOX 13 Townsend MT 59644

Signature

Printed name and address

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Donald Kronenberg Donald L. Kronenberger 5915 Hwy 41
Whitetail 59759

Lez Attence Lezattence 12971 Jackrabbit Ln
Whitetail, MT 59759

Amy Taubewick Severance Amy Taubewick Severance
366 MT Hwy 55 Whitail 59759

PATRICK SEVERANCE 366 Hwy 55 Whitail 59759

Roberta Coppinger Roberta Coppinger 55 McLeod Est Whitetail
59759

MARK WILLIAMS 39 SKYLINE DR
WHITETAIL MT 59759

Vincent Keogh Vincent Keogh Box 57 Whitetail

WADES R STAEDT BOX 1001 WHITEHALL

Jerry Fleege Jerry Fleege 124 Whitetail Rd. Whitetail

Ronald Hunt Ronald Hunt 33 Skyline Dr.
Whitetail

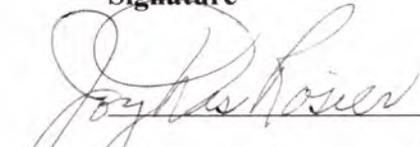
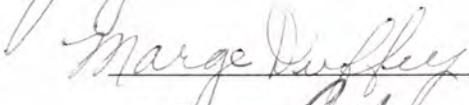
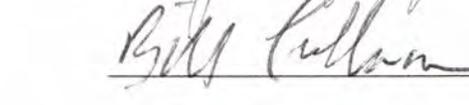
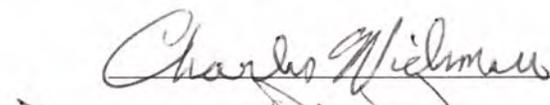
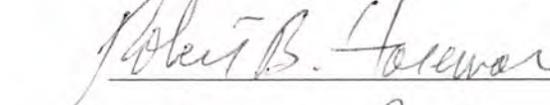
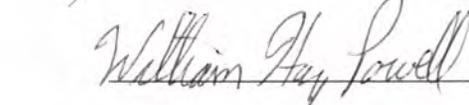
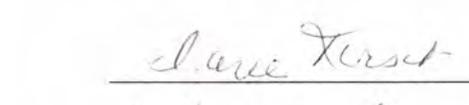
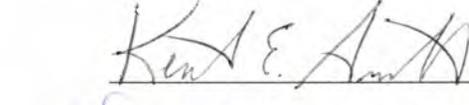
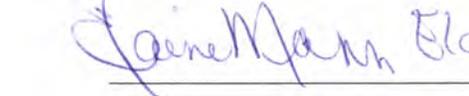
Sandra Hunt SANDRA HUNT 33 Skyline Dr

TAMARA H. PULLMAN TAMARA H. PULLMAN 1066 N. Highway 69
CARD well mt 59721

Ellen M. Gillespie Ellen M. Gillespie 702 Hwy. 55 - Whitetail

Signature

Printed name and address

| | | |
|--|--------------------|---|
|  | JOY DESROSIER | 1035 Hwy 55 Whitehall Whitehall 59759 |
|  | Marge Duffley | 134 Parrot Castle Rd. 59759 |
|  | BILL POSLMAN | 1026 N. HWY 69 Cardwell 59721 |
|  | Charles Wideman | 107 White Road Whitetail Whitwell, MT |
|  | Michelle M. Tebay | 64 Tebay Ln Whitehall MT 59759 |
|  | ROBERT B. FOREMAN | 2447 Goldmine Helena MT 59601 |
|  | William Hay Powell | 118 Cemetery Hill Rd Cardwell, mt 59721 |
|  | Rhoda Powell | Cardwell, MT 59721 |
|  | DAVE KIRSCH | Box 209 Boulder MT 59653 |
|  | Kent E. Smith | 75 Rola Rd. Whitehall, mt 59759 |
|  | Elaine Mann | 290 Kimpton Upper Ln. Toston 59643 |

Look Now Before It's Too Late!

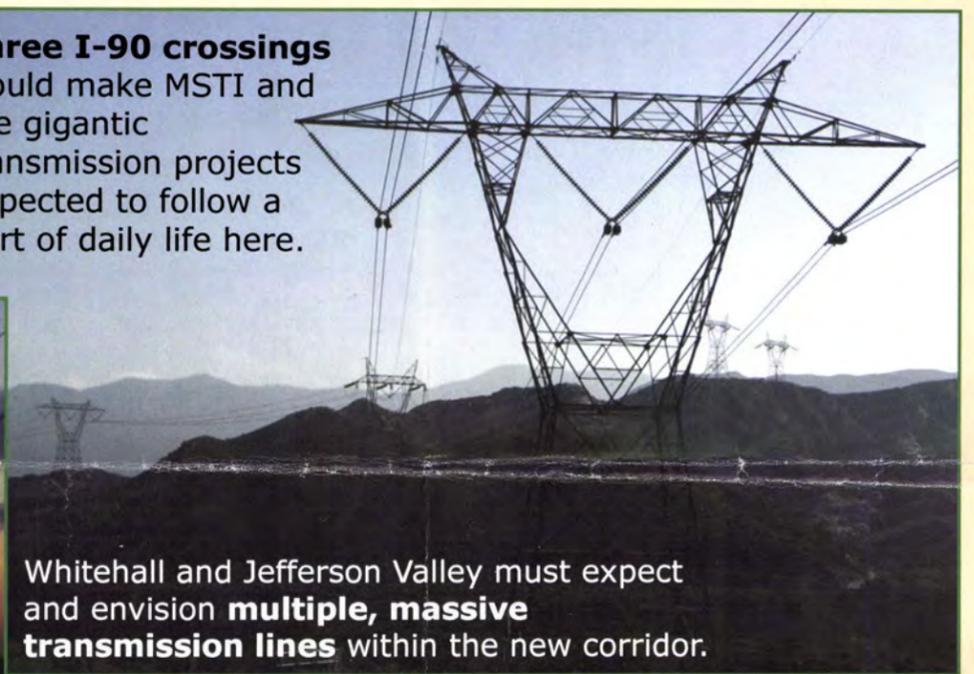


MSTI will affect every resident and visitor.

Government officials have made it clear they are selecting a corridor for **several massive transmission projects**, not just MSTI. The decision to place MSTI through greater Whitehall and Jefferson Valley will seal our fate as the preferred corridor for at least three export projects that are currently proposed.



Three I-90 crossings would make MSTI and the gigantic transmission projects expected to follow a part of daily life here.

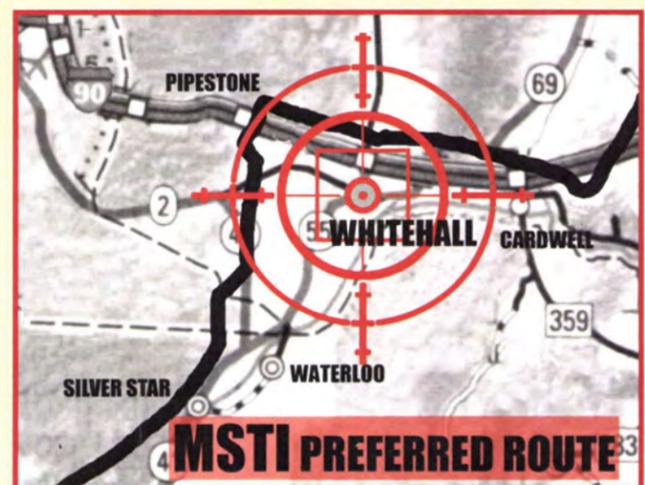


Whitehall and Jefferson Valley must expect and envision **multiple, massive transmission lines** within the new corridor.

Our towns and families have been wrongfully targeted by NorthWestern and MSTI for business and political expedience.

NorthWestern Energy made a business and political decision that it would be easier and cheaper to **cram MSTI down the throats of communities and families** than fight well-financed environmental groups over using public land routes.

But it is **not legal** for Montana Department of Environmental Quality (DEQ) and Bureau of Land Management (BLM) to route MSTI on undesignated, unimpacted private land if an already federally designated, already impacted energy corridor is available for MSTI. The law requires agencies to prefer the designated federal energy corridors on public land that taxpayers have already paid to establish.



www.SaveScenicJV.org

Nowakowski, Sonja

From: Pat Dopler [pat997e@hotmail.com]
Sent: Monday, July 12, 2010 10:07 AM
To: Wilber and Elisibeth Wood; Nowakowski, Sonja
Cc: Ben Brouwer; Jonda Crosby; max milton; Gloria Flora; Cliff Bradley; Steve Loken; Tom Butts; jenniferhillhart@gmail.com; Brent Tallman; David Oien Timeless seeds; metafunk@cyberport.net; kbauer@aeromt.org
Subject: RE: Conservation and renewables should be focus of Montana energy policy

That is extremely well said, bottle it and put in all the water resources we have.

pato

CC: bbrouwer@aeromt.org; jcrosby@aeromt.org; maxmilton@mt.net; gflora@s-o-solutions.org; cbradley@montana.com; loken@montana.com; pat997e@hotmail.com; tombutts10@hotmail.com; jenniferhillhart@gmail.com; bctallman@centurytel.net; david.timeless@3riversdbs.net; metafunk@cyberport.net; kbauer@aeromt.org

From: rewood@midrivers.com

Subject: Conservation and renewables should be focus of Montana energy policy

Date: Mon, 12 Jul 2010 02:27:45 -0600

To: snowakowski@mt.gov

July 12, 2010

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in vehicles powered by petroleum. This is a waste of money, time and our human spirit.

For the sake of our future, for our children's and their children's future, let us stop investing in energy sources like coal, whose time has passed; let us stop pretending that unproven technologies like carbon capture and sequestration ever can work at a price that we can afford.

The only future that makes sense, for Montana and the planet, is saving energy, turning waste to weath, and generating what we need from Earth's own heat, Earth's own tidal rhythms, from flowing water and growing plants, from wind and sun. Let us invest wisely and wholeheartedly in that future.

=====Wilbur Wood

StoneHouse Productions
rewood@midrivers.com

Elizabeth & Wilbur Wood
Box 12 Roundup, Montana 59072

The New Busy is not the old busy. Search, chat and e-mail from your inbox. [Get started.](#)



HEADWATERS
ECONOMICS

July 8, 2010

RECEIVED

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LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Dear Chairwoman Driscoll and Committee Members:
Energy and Telecommunications Interim Committee
c/o Sonja Nowakowski
PO Box 201706
Helena, MT 59620-1706

Dear Chairwoman Dirscoll and Committee Members:

Thank you for this opportunity to provide comment on Montana's Energy Policy Review.

Headwaters Economics, a Bozeman-based non-profit, independent research group recently completed a report on how five Rocky Mountain States—Montana, Colorado, New Mexico, Utah, and Wyoming—are taking advantage of clean energy opportunities to attract jobs, businesses, and investment.

As you know, the clean energy and energy efficiency sectors are among the fastest growing parts of the region's economy, and the report—*Clean Energy Leadership in the Rockies: Competitive Positioning in the Emerging Green Economy*—concludes with five keys to success for the states to further benefit from the emerging green economy while measuring the likelihood that each state's policies will promote future growth and investment.

We appreciate the Committee's hard work to help set energy policy for Montana and hope our report can be of use to your efforts.

A hard copy of the report is enclosed with this letter. In addition, the report can be found directly on our web site at:

<http://www.headwaterseconomics.org/greeneconomy/CleanEnergyLeadership.pdf>.

Also, a number of supporting materials—state fact sheets, state-by-state comparisons, and a summary Digest—are linked at this page: www.headwaterseconomics.org/greeneconomy.

Please let me know if we ever may be helpful in any way.

Sincerely,

Julia Haggerty, Ph.D.



National Center for Appropriate Technology

Working for a Sustainable Future Since 1976

NCAT 3040 Continental Drive • P.O. Box 3838 • Butte, MT 59702 • (406)494-4572 • FAX (406)494-2905 • www.ncat.org

July 12, 2010

Energy and Telecommunications Interim Committee
Montana State Legislature

Re: Energy Policy Bill Draft

Madam Chairperson and Distinguished Committee Members:

The National Center for Appropriate Technology (NCAT) compliments the Committee on its hard work and careful consideration of a range of various perspectives, as you have worked to improve the State of Montana's legislatively endorsed energy policy. This is indeed a complex and difficult undertaking.

NCAT personnel have reviewed your current bill draft and have written a proposed amendment (attached) which NCAT believes will significantly improve your work product while recognizing the importance and continuing relevance of the State's existing energy policy statement. NCAT's representative is prepared to present and defend this proposal at your next committee meeting on July 28th or 29th, since it was not ready for submittal during your recent written comment period.

Please contact NCAT's Business Development Director for Energy Services, Dave Houser, if you have any questions or concerns relative to this proposal.

Respectfully,

Kathy Hadley
Executive Director

Unofficial Draft Copy

As of: May 25, 2010 (3:47pm)

**** Bill No. **** Introduced By *****
LC6000

By Request of the Energy and Telecommunications Interim Committee

A Bill for an Act entitled: "An Act revising Montana's energy policy; amending section 90-4-1001, MCA; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 90-4-1001, MCA, is amended to read: "**90-4-**

1001. State energy policy goal ~~statement~~ statements.

(1) It is the policy of the state of Montana to:

(a) promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic costs and the greatest long-term benefits to Montana citizens;

(2) It is also the policy of the State of Montana to pursue the following goals, to the extent that they are consistent with the State's policy listed in paragraph 1.a, above:

(ba) supplement energy needs with renewable energy sources, while recognizing the value of existing coal-fired generation and its place in Montana's energy portfolio;

(eb) promote development of projects using technologies that convert coal into electricity, synthetic petroleum products, hydrogen, methane, natural gas, and chemical feedstocks, while substantially reducing the emissions of man-made greenhouse gases;

(ec) recognize that projects, like those in subsection (1)(c), will increase utilization of Montana's vast coal reserves

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As of: May 25, 2010 (3:47pm)

LC6000

in an environmentally sound manner, as a means of increasing the nation's energy independence;

| (ed) increase local oil and gas exploration and development to reduce the recent decline in Montana's production levels, offer living wage jobs, and strengthen Montana's economy;

| (fe) expand technological innovation, including using carbon dioxide for enhanced oil recovery in declining oil fields;

| (ef) recognize the value of Montana's petroleum refining industry as a significant contributor to Montana's manufacturing sector in supplying the transportation energy needs of Montana and the region;

| (hg) promote development of educational programs that prepare the workforce for creating and obtaining jobs in an emerging renewable energy economy;

| (ih) support: (i) the advancement of new alternative energy technologies to improve vehicle mileage and reduce exhaust emissions;

(ii) incentives and loan programs to promote the development of biomass plants to generate heat for industrial use or electricity; and

(iii) promotion of the long-term growth of large-scale utility wind generation and small-scale distributed generation;

| (ji) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2025 and that the Montana Renewable Power Production and Rural Economic

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As of: May 25, 2010 (3:47pm)

LC6000

Development Act applies broadly to Montana's many energy utilities;

| (~~k~~) recognize the need for new transmission lines in the state, while noting that the need for new transmission lines may be mitigated by focusing on energy efficiency, distributed energy, demand response, and smart grid technologies;

| (~~l~~) urge developers and utilities to increase the capacity of existing transmission lines in existing corridors and maximize the potential of existing lines;

| (~~m~~) urge developers who develop new transmission lines in Montana to work closely with all affected stakeholders, including local governments, in the preliminary stages of development;

| (~~n~~) ensure that the costs of transmission lines that allow for the export of Montana-generated electricity are borne by those who will benefit from the lines to protect Montana's ratepayers from the costs of serving others;

| (~~o~~) strengthen Montana's level of participation in regional transmission efforts and organizations, recognizing that endeavors to improve the management of the transmission grid often requires a broad, regional approach;

| (~~p~~) encourage the testing and application of new and innovative technologies, such as compressed air energy storage, batteries, flywheels, hydrogen production, smart grid, smart garage, and intra-hour balancing services, to address wind integration;

| (~~q~~) encourage geographic diversity and regional planning in the siting of future wind development to mitigate firming needs

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As of: May 25, 2010 (3:47pm)

LC6000

and ensure that the economic benefits of wind-powered energy

generation are shared across the state;

| ~~(eg)~~ recognize that there are areas of the state where large-scale, commercial industrial wind development may not be appropriate;

| ~~(sr)~~ encourage developers and regulators to review potential impacts to landscapes, wildlife, and existing land uses, including recreation and agriculture when developing wind generation;

| ~~(ts)~~ recognize that contracts between qualifying small power production facilities as defined in 69-3-601 and utilities require facilities to pay the cost of integrating their power, and the state is committed to providing the lowest-cost firming resources available to encourage renewable development;

| ~~(ut)~~ continue to weigh Montana's overall management responsibilities, fiduciary, and multiple-use pursuant to The Enabling Act of the state of Montana, Article X of the Montana constitution, and Title 7, chapter 1 in pursuing energy development on state lands;

| ~~(vu)~~ encourage the development of best management practices for energy development on state lands;

| ~~(wv)~~ allow energy efficiency and conservation to form the cornerstone of Montana's energy policy, recognizing that efficiency and conservation have the potential to meet the majority of Montana's growing energy needs and save consumers money on their energy bills;

| ~~(xw)~~ encourage investor-owned utilities and electric

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As of: May 25, 2010 (3:47pm)

LC6000

cooperatives to demonstrate that they are prioritizing and pursuing the acquisition of all cost-effective energy efficiency on their systems, while recognizing that electric cooperatives have a long history of local control. This includes the offering of energy audits to customers;

| ~~(yx)~~ encourage the public service commission, using its existing authority, to implement and encourage efficiency-related initiatives for regulated public utilities, including smart grid deployment, demand response, decoupling, and energy efficiency resource standards;

| ~~(zy)~~ expand energy incentives to promote and encourage consumer investment in energy efficiency. It is also important to monitor existing energy incentives to determine if they are cost-effective;

(aa) promote a strong energy code to ensure that all homeowners and business owners experience the economic benefits of energy efficiency and conservation;

(bb) advocate for an energy code that works in tandem with an enforcement system that is unique to Montana and that recognizes tribal sovereignty, local government authority, and existing self-certification program; and
(cc) encourage the appropriate state agencies, local government entities, and stakeholders to work together and review the existing enforcement system in Montana and recommend changes if necessary.

| ~~(23)~~ In pursuing this goal these goal statements, it is the policy of the state of Montana to:

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As of: May 25, 2010 (3:47pm)

LC6000

(a) recognize that the state's energy system operates within the larger context of and is influenced by regional, national, and international energy markets;

(b) review ~~this~~ these energy policy ~~statement~~ statements and any future changes pursuant to 90-4-1003 so that Montana's energy strategy will provide for a balance between a sustainable environment and a viable economy; and

(c) adopt a state transportation energy policy as provided in 90-4-1010 and an alternative fuels policy and implementing guidelines as provided in 90-4-1011." {*Internal References to 90-4-1001: None.*}

NEW SECTION. **Section 2. {standard} Effective date.** [This act]

is effective on passage and approval.

- END

{Name :
Title : Sonja E. Nowakowski
Agency: Research Analyst LSD
Phone : LEPO 406-444-3078
E-Mail: snowakowski@mt.gov}
{Name : Sonja E. Nowakowski
Title : Research Analyst
Agency: LSD LEPO

Unofficial Draft Copy

As of: May 25, 2010 (3:48pm)

**** Bill No. **** Introduced By *****
LC6001

By Request of the Energy and Telecommunications Interim Committee

A Bill for an Act entitled: "An Act modifying the process for revising the state energy policy; amending section 90-4-1003, MCA; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 90-4-1003, MCA, is amended to read:

"90-4-1003. Energy policy development process. (1) ~~(a) Except as provided for in subsection (1)(b), each interim, the~~ The energy and telecommunications interim committee established in 5-5-230 shall ~~review the~~ maintain a continual process to develop and update the components of a comprehensive state energy policy and, when necessary, recommend potential changes to the state energy policy, pursuant to subsection (2).

~~(b) During the 2009-2010 interim, the committee shall consult with a broad representation of stakeholders, including appropriate state agencies and the public, and focus on the following issues to be included in a revised state energy policy:~~

(i) increasing the supply of low-cost electricity with ~~coal-fired generation;~~

(ii) rebuilding and extending electric transmission lines;

(iii) maximizing state land use for energy generation;

(iv) increasing energy efficiency standards for new

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As of: May 25, 2010 (3:48pm)

LC6001

~~construction;~~

(v) promoting conservation;

(vi) promoting energy efficiency incentives;

(vii) promoting alternative energy systems;

(viii) reducing regulations that increase ratepayers' energy

~~costs; and~~

(ix) integrating wind energy.

(2) ~~Except as provided in subsection (1)(b), the~~ The committee shall consult with a broad representation of stakeholders, including appropriate state agencies and the public, in developing the issues to be included within the a proposed, revised state energy policy each interim.

(3) ~~Each biennium~~ If the committee pursues revisions to the energy policy statements enumerated in 90-4-1001, the committee shall forward its recommendations to the legislature and to the appropriate state agencies for adoption.

(4) In carrying out its responsibilities under this section, the committee shall use its interim budget, as allocated by the legislative council, and rely on the input of locally available experts and staff research to accomplish its responsibilities."

{Internal References to 90-4-1003:
90-4-1001x}

NEW SECTION. **Section 2. {standard} Effective date.** [This act] is effective on passage and approval. - END

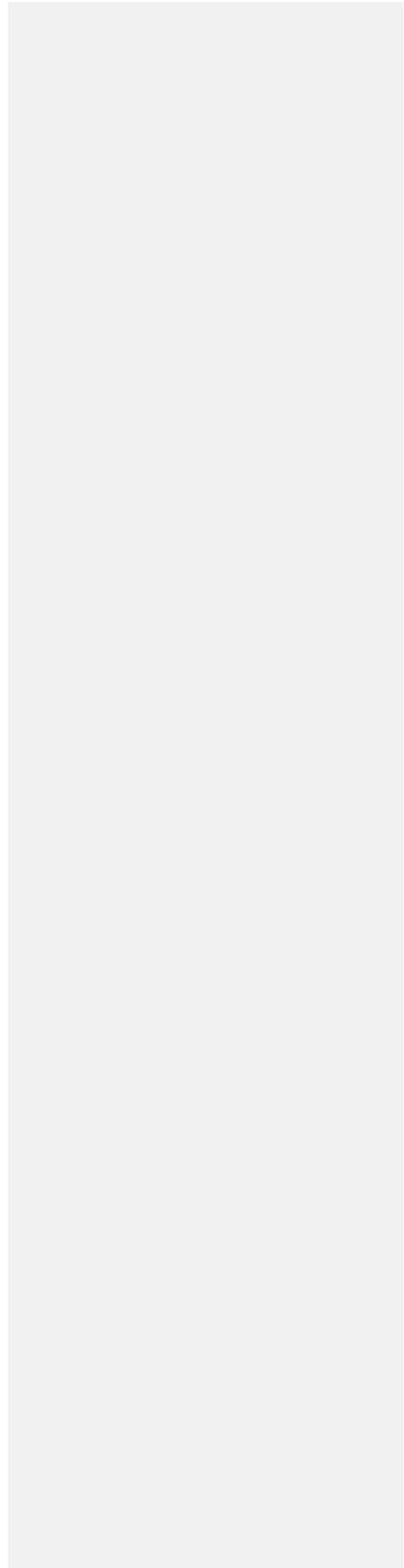
- END

{Name :
Title : Sonja E. Nowakowski
Agency: Research Analyst LSD
Phone : LEPO 406-444-3078
E-Mail: snowakowski@mt.gov}
[...]

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As of: May 25, 2010 (3:48pm)

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DNRC Comments on State Energy Plan
EQC – July 22
ETIC – July 28

For the last year, EQC has undertaken an extensive review of biomass energy under the guidance of HJR1, and DNRC continues to participate in that effort. ETIC is concurrently developing a state-wide energy plan. Biomass energy production offers exceptional opportunities in Montana, and the time is now to pursue development of this resource. Biomass is a firm, renewable energy source. We have sufficient forest biomass availability in Montana forests. And, most importantly, we have rail, mill, and timber industry infrastructure to service biomass energy production.

Both committees play an important role in the future of biomass energy. Given the significance of biomass energy potential in Montana at the present time, we strongly encourage you to work on the inclusion of biomass energy in the state-wide plan, perhaps utilizing the information listed below. We offer the following remarks:

Background:

Biomass is mentioned in a few findings/recommendations in the report stating:

- “Montana supports incentives and loan programs to promote the development of biomass plants to generate heat for industrial use or electricity “ (in section on Promoting Alternative Energy Systems).
- There is also mention of biomass in the recommendations for “Maximizing State Land Use for Energy Generation”, mentioning the growing interest and potential for biomass energy production in the face of beetle infestations.
- There is a full section on *Integrating Wind Energy* that provides findings and background. We would propose the inclusion of similar stand-alone section on *“Integrating Biomass Energy”* .

A number of other reports include information on biomass potential:

- Recent findings of biomass co-generation studies conducted for NW Energy and Porterbench supported the following:
 - Identified several existing mills sites in western Montana with viable potential for co-locating 15-20 MW sized biomass co-gen facilities that could combine to create a network of plants
 - Efficiencies gained and development/construction costs and impacts avoided by utilizing existing infrastructure (mills have existing air/water permits and interconnection to grid, etc.)
 - Fuel supply is not a limiting factor

- Recommendations from HJR 1 can be found in the Interim Biomass Study by EQC: *Harvesting Energy Report: An analysis of methods for increasing the use of forest and agricultural residues for biomass-based energy generation in Montana*
- Montana Biomass Working Group is developing biomass harvest guidelines and state biomass utilization strategy.

We recommend the following additions to the Energy Policy regarding biomass:

- provide incentives and support beyond “industrial use” to include all types/sizes of facilities (government and public buildings, commercial and residential complexes)
- recognize efficiencies gained in combined heat and power production (i.e. mills use heat/electricity for on-site processing as well as for export to transmission grid)
- promote equivalent “green tag” value for thermal energy portion of CHP (combined heat and power) projects.
- consider the economic/environmental co-benefits of biomass energy development in Montana, including the retention of a viable forest products industry, rural economic development, and hazardous fuels reduction.

Nowakowski, Sonja

From: Karen Shores [kshores@3rivers.net]
Sent: Wednesday, July 21, 2010 9:07 AM
To: Nowakowski, Sonja
Subject: Re: No more coal just to balance the budget

Sonja,

Please send me results of meetings by E mail... I can't ever get things on internet.

If appropriate somewhere get in the thoughts about the big transmission lines... please put them in the least enviromentally disturbing place..... along the freeway I-15 (as originally stated) not near Jefferson river.

Transmission lines and big trucks belong on freeways not "junking" up our landscape
Karen Shores

----- Original Message -----

From: [Nowakowski, Sonja](#)
To: ['Karen Shores'](#)
Sent: Wednesday, June 30, 2010 7:15 AM
Subject: RE: No more coal just to balance the budget

Karen,

Thank you for your comments. I will make sure they are shared with the Energy and Telecommunications Interim Committee (ETIC) in advance of the July 28-29 meeting. A draft meeting agenda should be posted at www.leg.mt.gov/etic in the coming week.

Sonja Nowakowski, ETIC staff

From: Karen Shores [mailto:kshores@3rivers.net]
Sent: Tuesday, June 29, 2010 5:59 PM
To: Nowakowski, Sonja
Subject: No more coal just to balance the budget

Dear Sonya,

Clean energy double those goals. We must stop depending on dirty coal and polluting the atmosphere. This is an outmoded technology and the coal CEOs are making the profit..... again and again the money goes out of Montana.

Karen Shores
Eric Shores
Anni Shores
15 Carkeek Lane
Cameron, Mt. 59720

Nowakowski, Sonja

From: feelyranch@aol.com
Sent: Friday, July 23, 2010 3:34 PM
To: Nowakowski, Sonja
Subject: Energy Interim Committee

Sonja,

I was sent this article this morning. This is very disturbing to a Montana landowner. This is exactly why I stated in my comments to the Energy Committee why the citizens of Montana need stronger and clearer laws to PROTECT our property, livelihoods and families.

<http://www.greatfallstribune.com/article/20100723/NEWS01/7230317/MATL-moves-to-tap-eminent-domain-for-power-line-right-of-way-in-Cut-Bank-area>

It is not right that a company from another country should be able to use eminent domain to take a U.S. citizen's property! What precedence is this going to set for any foreign company that wants a piece of Montana!?

Please share my concerns with the Committee
Thank you,
Marie Garrison
member of Move MSTI
Divide Montana

July 21, 2010

Ms Sonja Nowakowski
ETIC Staff
Helena, MT

Dear Ms Nowakowski:

As a long-time landowner (1972) on the lower Big Hole River, I am distressed to think of power towers erupting from the scenic beauty around here. It has taken hundreds of years to become so beautiful; let's not destroy it in a short time.

It would seem that the I15 corridor would be a better place for power lines, if, indeed, we must have them at all.

I am perplexed why California, which is actively seeking alternative energy sources like wind and solar, cannot produce its own energy? Why does California's energy need to come from far-away Montana? Isn't a large percentage of energy lost in the transmission over these many miles?

I would urge that more time be given to studying the problem.

Sincerely,
Hanne Lower

Richard Lower Family Partnership

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JUL 26 2010

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Nowakowski, Sonja

From: bpatrick [bpatrick@townsend.k12.mt.us]
Sent: Monday, July 26, 2010 10:16 PM
To: Nowakowski, Sonja
Subject: Information for Energy Sub Committee

Sonja E. Nowakowski, Research Analyst
Agency : LSD LEPO
Phone : 406-444-3078
snowakowski@mt.gov

Dear Sonja,

Thank you for the work your committee has completed on the State Energy Policy Goal Statement for the upcoming legislative session. The committee's efforts in creating this policy statement are to be commended because it will serve as a guide for the legislature to follow as they develop sound energy policy for our state. I appreciated the opportunity to have addressed your committee at the meeting in January to discuss the steps that schools are taking to educate our students, the future leaders of our state, on energy issues. I'm sorry that I am unable to attend the meeting on Thursday, July 29th, as you consider final revisions to the State Energy Policy. On that date, I will be meeting with Senator Baucus, Senator Tester, and Representative Rehberg in Washington DC to discuss education issues in Montana. I also plan to discuss my thoughts on the importance of energy education for the students across the state of Montana. I have a strong belief of the importance of energy education in schools. I encourage your committee to add language to the State Energy Policy statement which includes the importance of teaching the students in our state about energy. As a lifelong resident and taxpayer in our state, I understand the importance of coal, oil, and gas development. As a school superintendent for the past seventeen years, I also believe in the importance of energy conservation. Schools are forced to stretch precious dollars as we make decisions about allocating money to educate our students. As the Superintendent of a school district, I could equate the energy issue portion of my job to that of a landlord of fifty eight houses with 1,000 inhabitants whose day begins at 6:00 am and ends at 10:00 p.m., six days a week. Any increase in energy costs has a huge impact on my budget.

As we plan our third energy summit for schools across Montana, our goal is to have Governor Schweitzer, the legislature, and Superintendent of Public Instruction designate Wednesday, January 19th as Energy Education in Montana Schools Day. This event would include an address to all students in Montana on energy conservation via a statewide broadcast.

I hope you give strong consideration to adding a statement about energy education in Montana schools to your policy statement. Efficiency and conservation are the first steps in using our natural resources wisely. With this as our foundation, we can help preserve our way of life for our children and at the same time not be dependent upon careless offshore drilling and reduce our addiction to foreign oil. I hope that our state energy policy does not overlook the fact that energy efficiency means job growth and energy savings for our state. I am in favor of promoting energy efficiency and responsible renewable energy development in Montana while developing of our natural resources.

Thank you for your time and consideration.

Sincerely,



Brian Patrick
Townsend K-12 School District # 1 Superintendent

Nowakowski, Sonja

From: Brad Molnar [brad.molnar@yahoo.com]
Sent: Wednesday, July 28, 2010 8:10 PM
To: Nowakowski, Sonja
Subject: Re: LC 6000
Attachments: LC6000[1].docx

Sonja,

Thank you. Above is my commentary and recommended amendments. Actually I think it is so punitive to ratepayers that it should be scrapped. I truly believe it is a work that comes from a collaborative effort between various lobbyists (Fitzpatrick and DeGraw come to mind but so do others) figuring how to open the pocket books of Montana families and split the plunder. It is that bad and that obvious. There is nothing in here for Montana consumers other than pain and economic stagnation from high energy costs.

When NWE was allowed great access to "educate the legislators" and three times I was denied the opportunity to address rate impacts to Montana consumers from the three prongs of "MSTI" I was pretty sure this is how it would be written and I am not surprised in the least.

In the alternative how about this for an energy policy: IT IS THE POLICY OF MONTANA THAT MONTANA CONSUMERS, BE THEY INDUSTRIAL, OR RESIDENTIAL, SHALL BE SUPPLIED WITH THE ENERGY THEY NEED, WHEN THEY NEED IT AND IN THE AMOUNTS THEY NEED AT COMPETITIVE PRICES. ALL ENERGY SOURCES IN THE PORTFOLIO SHALL BE COMPETITIVE AND MARKET READY.

Sure beats what you guys took all summer to come up with.
Please share this and the attachment with all gathered tomorrow.

Have a nice day.

Brad Molnar
Public Service Commissioner
District II

From: "Nowakowski, Sonja" <snowakowski@mt.gov>
To: "brad.molnar@yahoo.com" <brad.molnar@yahoo.com>
Sent: Wed, July 28, 2010 8:12:10 AM
Subject: FW: LC 6000

I sent this yesterday to your state email.

From: Nowakowski, Sonja
Sent: Tuesday, July 27, 2010 4:21 PM
To: Molnar, Brad
Subject: LC 6000

[LC6000.docx](#)

Unofficial Draft Copy

As of: July 29, 2010 (7:17AM)

LC6000

**** Bill No. ****

Introduced By *****

A Bill for an Act entitled: "An Act revising Montana's energy policy; amending section 90-4-1001, MCA; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 90-4-1001, MCA, is amended to read:

"90-4-1001. State energy policy goal ~~statement~~ statements. (1)

It is the policy of the state of Montana to:

(a) promote energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources that represent the least social, environmental, and economic costs and the greatest long-term benefits to Montana citizens;

(b) supplement energy needs with (market ready) renewable energy sources, while recognizing the value of existing (~~strike existing~~) (add "and future") coal-fired generation and its place in Montana's energy portfolio;

(c) promote development of projects using technologies that convert coal into electricity, synthetic petroleum products, hydrogen, methane, natural gas, and chemical feedstocks, while substantially reducing the emissions of man-made greenhouse gases;

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As of: July 29, 2010 (7:17AM)

LC6000

(d) recognize that projects, like those in subsection (1)(c), will increase utilization of Montana's vast coal reserves in an environmentally sound manner, as a means of increasing the nation's energy independence;

(e) increase ~~(strike increase) reduce impediments to~~ local oil and gas exploration and development to reduce the recent decline in Montana's production levels, offer living wage jobs, and strengthen Montana's economy;

(f) expand technological innovation, including using carbon dioxide for enhanced oil recovery in declining oil fields;

(g) recognize the value of Montana's petroleum refining industry as a significant contributor to Montana's manufacturing sector in supplying the transportation energy needs of Montana and the region;

(h) promote development of educational programs that prepare the workforce for creating and obtaining jobs in ~~the~~ emerging renewable~~(strike "renewable"...Do we not need a trained workforce in all of the energy sectors? An aging work force says we do)~~ energy economy;

(i) support:

(i) the advancement of new alternative energy technologies to improve vehicle mileage and reduce exhaust emissions;

(ii) incentives and loan programs to promote the development of biomass plants to generate heat for industrial use or electricity; and ~~(NWE recently testified that bio mass is cost competitive so why should rate payers and tax payers shoulder the risk of loans to~~

uncredit worthy developers?)

(iii) promotion of the long-term growth of large-scale utility wind generation and small-scale distributed generation;

Large scale wind will develop where there is a market, government mandates, and massive tax payer subsidies. Why would we desire such a broad vision with no idea of the costs or complexities? Distributed generation is often a boon to the owners but a burden to other rate payers. That is why it is a mandate rather than a market. We already have laws on the books. Why is this here?

(j) promote efforts to classify capacity expansions to existing hydroelectric facilities as an eligible renewable resource as defined in 69-3-2003, provided that the targets in 69-3-2004 are strengthened to 20% by 2020 and 25% by 2025. It is not a function of a policy statement to cut deals between PPL and Chuck McGraw to the detriment of rate payers. The hydro capacity expansions benefit consumers and have already passed the legislature only to be vetoed. Increases to the REP are special interest legislation and belong in a bill not a policy statement. and that the Montana Renewable Power Production and Rural Economic Development Act applies broadly to Montana's many energy utilities; This is the continued, failed attempt in HB 641 to reduce the self rule of Montana's independent co-ops.

(k) recognize the need for new transmission lines in the state, while noting that the need for new transmission lines may be mitigated by focusing on energy efficiency, distributed energy, demand response, and smart grid technologies;

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As of: July 29, 2010 (7:17AM)

LC6000

(l) urge developers and utilities to increase the capacity of existing transmission lines in existing corridors and maximize the potential of existing lines; **This is in reference to Path 8. Which is an upgrade to export 600 MW of our hydro and coal fired generation to Calif. via a new trans line being planned to tie in mid Oregon. Verified by BPA. Still think it's a great idea? NWE floated this EXACT language at the Republican convention. Rejected to protect Montana consumers. Does NWE have such a hold on this committee that they now write the legislation? It's verbatim!!! Just who does the House of Representatives represent?**

(m) urge developers who develop new transmission lines in Montana to work closely with all affected stakeholders, including local governments, in the preliminary stages of development;

(n) ensure that the costs of transmission lines that allow for the export of Montana-generated electricity are borne by those who will benefit from the lines to protect Montana's ratepayers (add "and landowners") from the costs of serving others (strike "others") (add) and protect Montana rate payers from outside market exposure **Note that only the Federal Government does cost allocation, not the state government. This is here to mollify unknowing people. Again what you proposed is VERBATIM what NWE tried to get into the Republican Party Platform and it was modified, unamously, to protect ratepayers and property rights as presented here by me. This again raises serious doubts as to the independence of this representative body from the lobbyists of NWE and therefor the legitimacy of this policy statement.**

Unofficial Draft Copy

As of: July 29, 2010 (7:17AM)

LC6000

(o) strengthen Montana's level of participation in regional transmission efforts and organizations, recognizing that endeavors to improve the management of the transmission grid often requires a broad, regional approach; **And often generates compromises, and lost votes, that may harm Montana employers or families. Such regional organizations are often difficult to get out of and usually are governed by FERC who can actually overrule them.**

(p) encourage (~~strike encourage and add "applaud"~~) the testing and application of new and innovative technologies, such as compressed air energy storage, batteries, flywheels, hydrogen production, smart grid, smart garage, and intra-hour balancing services, to address wind integration; **(add "while ensuring that ratepayers and taxpayers not subsidize the testing or are not harmed or threatened financially by the integration of unreliable generation sources.")**__

(q) encourage geographic diversity and regional planning in the siting of future wind development to mitigate firming needs (Sworn testimony before the PSC, given by wind advocates, is that the reduction of firming needs by geographic diversity is a theory and not borne out by measurement in any region of the world.) and ensure that the economic benefits of wind-powered energy generation are shared across the state; **(Add) And the risks and costs are borne by developers and end users**

(r) recognize that there are areas of the state where large-scale, commercial industrial wind development may not be

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As of: July 29, 2010 (7:17AM)

LC6000

appropriate;

(s) encourage developers and regulators to review potential impacts to landscapes, wildlife, and existing land uses, including recreation and agriculture when developing wind generation;

(t) recognize that contracts between qualifying small power production facilities as defined in 69-3-601 and utilities require facilities to pay the cost of integrating their power, and the state is committed to providing the lowest-cost firming resources available to encourage renewable development; Again NWE is heard from. Their new plant in Anaconda will more than double the cost of regulating reserves to NWE customers. They want to sell for less to wind developers ("to avoid sticker shock" and shift the short fall to residential customers. Least ways that is what they told us. How is this fair or a good state policy, good politics, or even an issue for a policy statement? I'm sure the list of lobbyist that loved this one is a lot longer than NWE.

(u) continue to weigh Montana's overall management responsibilities, fiduciary, and multiple-use pursuant to The Enabling Act of the state of Montana, Article X of the Montana constitution, and Title 7, chapter 1 in pursuing energy development on state lands;

(v) encourage the development of best management practices for energy development on state lands;

(w) allow energy efficiency and conservation to form the cornerstone of Montana's energy policy, recognizing that efficiency

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and conservation have the potential to meet the majority of Montana's growing energy needs and save consumers (add "more") money on their energy bills (add "than it costs them") (add "Further we recognize that this is not even remotely possible with Lost Revenue Recovery Mechanisms "LRMS, decoupling, avoided costs recovery, or surcharges for societal benefits, environmental attributes or Co2 not released. Rather, educating the public on conservation mechanisms and allowing them to keep the savings incorporates and addresses all of these concerns);

(x) Encourage investor-owned utilities and electric cooperatives to demonstrate that they are prioritizing and pursuing the acquisition of all cost-effective energy efficiency on their systems, while recognizing that electric cooperatives have a long history of local control. This includes the offering of energy audits to customers; This was the focus of HB 641 which was defeated straight party line. NWE promoted it as a major profit center (70 30 split). It was a decoupling measure. The majority of states have rejected "decoupling" schemes as nothing more than state sanctioned theft by decoupling the value of electricity from the cost customers pay and saying it is in the name of conservation. Does Fitzpatrick get a vote too? Rowe?

(y) encourage the public service commission, using its existing authority, to implement and encourage efficiency-related initiatives for regulated public utilities, including smart grid deployment, demand response, decoupling, (see above. Wow, these guys sure are

adamant!) and energy efficiency resource standards;

(z) expand energy incentives (Who pays for the "incentives" and who benefits? Let the market educate the public and let the consumer decide) to promote and encourage consumer investment in energy efficiency. It is also important to monitor existing energy incentives to determine if they are cost-effective; (They aren't. That's why they are government mandated incentives)

(aa) promote a strong energy code to ensure that all homeowners and business owners experience the economic benefits of energy efficiency and conservation;

(bb) advocate for an energy code that works in tandem with an enforcement system that is unique to Montana and that recognizes tribal sovereignty, local government authority, and existing self-certification program; and (What's left to police and who pays for this new enforcement? This recognizes everything except personal choice)

(cc) encourage the appropriate state agencies, local government entities, and stakeholders to work together and review the existing enforcement system in Montana and recommend changes if necessary.

(2) In pursuing ~~this goal~~ these goal statements, it is the policy of the state of Montana to:

(a) recognize that the state's energy system operates within the larger context of and is influenced by regional, national, and international energy markets;

(b) review ~~this~~ these energy policy statement statements and

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any future changes pursuant to 90-4-1003 so that Montana's energy strategy will provide for a balance between a sustainable environment and a viable economy; and

(c) adopt a state transportation energy policy as provided in 90-4-1010 and an alternative fuels policy and implementing guidelines as provided in 90-4-1011."

{*Internal References to 90-4-1001: None.*}

NEW SECTION. **Section 2.** {standard} **Effective date.** [This act] is effective on passage and approval.

- END -

Nowakowski, Sonja

From: Gordon Brittan [GBrittan@exergydevelopment.com]
Sent: Wednesday, July 28, 2010 10:31 PM
To: Nowakowski, Sonja
Subject: ETIC public comment
Attachments: ETIC public comment.wpd

Dear Ms. Nowakowski:

Apologies for the lateness of the hour, but I plan to be at the ETIC hearing tomorrow and would like to offer a public comment on LC 6000. A copy is attached. With my thanks and best wishes,

Gordon "Corky" Brittan
Director of New Product Development
802 W Bannock, 12th Floor Boise, ID 83702
Office: 208.336.9793
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Energy and Telecommunications Interim Committee
July 29, 2010
Re: Energy Policy: Overview and Action
Review of LC 6000

My name is Gordon Brittan. I live nine miles east of Livingston along Mission Creek. I have been involved in the wind energy business for the past 36 years and am now Director of New Projects for Exergy Development Group, one of the largest independent wind park developers in the United States. Exergy was founded in Montana, is headquartered in Boise, Idaho, and maintains an office in Helena. I am perhaps one of the few people in the state who has read the extremely interesting and informative report to the 62nd Legislature, "Montana's Energy Policy Review."

I want to make two points in connection with LC 6000.

First, the bill unduly emphasizes means at the expense of ends. That is, after a brief nod in the direction of promoting "energy efficiency, conservation, production, and consumption of a reliable and efficient mix of energy sources" that maximizes social, environmental, and economic costs over benefits, the bill proceeds to list all of the various energy technologies and their merits. All of these technologies have their place and their merits. But their further development should be guided by a more general view of Montana's energy future. Whether we want, for example, to reduce the recent decline in our production of oil and gas should depend not simply on the need to strengthen the economy, but also on the degree to which such production is sustainable, balanced, and compatible with other social and environmental values. I do not mean to single out oil and gas. All of the various energy extractive and processing activities need to be put in a larger and longer-term context. For the fact of the matter, as this Committee well realizes, is that energy production will be an ever more important driver of the state's economy and its effects will be felt everywhere. Only when the ends have been determined can appropriate means to them be undertaken.

Second, the bill does an excellent job of emphasizing conservation and efficiency and setting out ways in which, partly through tax and other public incentives, they can be encouraged. We are past the technological point at which conserving entails self-sacrifice. But I would lay more stress than the bill does on local energy generation and consumption. We need new lines to transmit electricity and new pipelines to ship oil and gas. But they are very costly and will take time to litigate and install. They need to be supplemented by ways in which energy can be consumed in the same areas in which it is produced, and value added to it in the process. For again the fact of the matter is that in energy as in many other areas of our economy, we export wholesale and import retail, and the bill should call for ways in which value can be added to energy before it leaves the state.

People like me who are advocates of alternate energy tend to talk about "big issues" like global warming and miss a very small but important point in doing so. It is that the wind and the sun and biomass, for starters, are generally available and almost everyone can process and profit from them. Few of us can have our own coal mine or oil well, however much we all benefit, but almost all of us can install solar panels or put up a small windmill or build a compost pile.

Montana has vast alternate and renewable energy resources, the third largest in the nation. But it is their general availability and affordability which has called on our creativity and made possible our wonderfully democratic way of life.