

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Duane Ankney, on March 21, 2019 at 2:51 PM, in Room 317
Capitol

ROLL CALL

Members Present:

Sen. Duane Ankney, Chair (R)
Sen. Mary McNally, Vice Chair (D)
Sen. Jason D. Small, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Mike Cuffe (R)
Sen. Terry Gauthier (R)
Sen. Douglas (Doug) Kary (R)
Sen. Sue Malek (D)
Sen. Mike Phillips (D)
Sen. Keith Regier (R)
Sen. Tom Richmond (R)
Sen. Russel (Russ) Tempel (R)
Sen. Gene Vuckovich (D)

Members Excused: None

Members Absent: None

Staff Present: Trevor Graff, Legislative Branch
Jacelyn Stewart, Committee Secretary

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

Committee Business Summary:

Hearing & Date Posted: HB 78, 3/18/2019; HB 267, 3/18/2019; HB 314, 3/18/2019

Executive Action: SB 331- Do Pass as Amended

14:53:18 Sen. Cuffe
 14:53:30 Chair Ankney
 14:53:32 Sen. Vuckovich entered the meeting.

EXECUTIVE ACTION ON SB 331

14:53:53 **Motion:** Sen. Richmond moved that **SB 331 DO PASS.**
 14:54:34 Sen. Tempel and Sen. Regier entered the meeting.
 14:54:38 **Motion:** Sen. Richmond moved that **SB 331 BE AMENDED.**
[**EXHIBIT\(ens58a01\)**](#)

Discussion:

14:55:40 Sen. McNally
 14:56:17 Sen. Richmond
[**EXHIBIT\(ens58a02\)**](#)

14:58:17 Sen. Malek
 15:01:12 Sen. Richmond
 15:02:14 Chair Ankney
 15:02:28 David Hoffman, NorthWestern Energy (NWE)
 15:03:05 Sen. Malek
 15:03:19 Mr. Hoffman, NWE
 15:03:32 Sen. Malek
 15:03:51 Sen. McNally
 15:05:23 Sen. Richmond
 15:05:27 Chair Ankney
 15:06:13 Sen. Malek
 15:06:40 Chair Ankney
 15:06:45 Sen. Richmond
 15:07:18 Sen. Malek
 15:08:18 Sen. Richmond

15:08:32 **Vote:** Motion carried unanimously by roll call vote.

15:09:19 **Motion:** Sen. Malek moved that **SB 331 BE AMENDED.**
[**EXHIBIT\(ens58a03\)**](#)

Discussion:

15:10:31 Sen. Phillips
 15:10:49 Sen. Malek
 15:11:09 Trevor Graff, Legislative Services Division (LSD)
 15:12:08 Sen. Phillips
 15:12:27 Sen. Malek
 15:14:02 Sen. Phillips
 15:14:25 Sen. Regier
 15:14:46 Sen. Richmond
 15:15:25 Sen. Barrett

- 15:15:55 Mr. Graff, LSD
- 15:16:22 Without objection, Sen. Malek withdrew the BE AMENDED motion.
- 15:17:24 Chair Ankney
- 15:17:43 **Motion:** Sen. Richmond moved that **SB 331 DO PASS AS AMENDED.**

Discussion:

- 15:18:04 Sen. McNally
- 15:22:07 Sen. Malek
- 15:24:11 Chair Ankney
- 15:26:41 Sen. Malek
- 15:27:35 Chair Ankney
- 15:31:08 Sen. Malek
- 15:31:56 **Vote:** Motion carried 9-4 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally and Sen. Phillips voting no.
- 15:33:28 Brief Recess
- 15:39:40 Reconvened

HEARING ON HB 267

Opening Statement by Sponsor:

- 15:39:49 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HB 267, Establish metering requirements for utilities.

Proponents' Testimony:

- 15:42:04 David Hoffman, NorthWestern Energy (NWE)
- 15:43:34 Randall Pinocci, self
- 15:44:45 Brian Fadie, Montana Environmental Information Center
- 15:45:47 Julian Adler, Montana Public Interest Research Group
- 15:46:11 Jason Brown, Montana Consumer Counsel
- 15:47:01 Robin Arnold, Public Service Commission
- 15:47:17 Makenna Sellers, Northern Plains Resource Council
- 15:47:47 Mike Batista, AARP Montana

Opponents' Testimony: None

Informational Testimony:

- 15:48:15 Laura Rennick, Energy Bureau chief, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

- 15:48:38 Sen. Barrett
- 15:50:49 Rep. Zolnikov
- 15:51:28 Sen. Regier
- 15:53:16 Rep. Zolnikov
- 15:54:10 Sen. Richmond

15:54:51 Rep. Zolnikov
 15:55:37 Sen. Gauthier
 15:55:49 Rep. Zolnikov
 15:56:07 Mr. Hoffman, NWE
 15:56:44 Sen. Gauthier
 15:57:12 Mr. Hoffman

Closing by Sponsor:

15:57:46 Rep. Zolnikov

HEARING ON HB 314

Opening Statement by Sponsor:

15:59:34 Rep. Tom Woods (D), HD 62, opened the hearing on HB 314, Require certain utilities to file general rate cases.

Proponents' Testimony:

16:01:47 Jason Brown, Montana Consumer Counsel
 16:02:56 Brian Fadie, Montana Environmental Information Center
 16:03:42 Mike Batista, AARP Montana
 16:03:59 Randall Pinocci, Public Service Commission
 16:05:12 Makenna Sellers, Northern Plains Resource Council

Opponents' Testimony:

16:05:40 David Hoffman, NorthWestern Energy (NWE)
 16:07:17 Aimee Grmoljez, Montana Dakota Utilities Resources

Informational Testimony:

16:09:00 Robin Arnold, Public Service Commission (PSC)

[**EXHIBIT\(ens58a04\)**](#)

Questions from Committee Members and Responses:

16:09:32 Sen. Kary
 16:11:10 Mr. Hoffman, NWE
 16:11:29 Sen. Malek
 16:12:37 Ms. Arnold, PSC
 16:12:52 Sen. Malek
 16:13:47 Rep. Woods
 16:15:21 Sen. McNally
 16:15:44 Ms. Arnold

Closing by Sponsor:

16:17:07 Rep. Woods

HEARING ON HB 78

Opening Statement by Sponsor:

16:19:40 Rep. Zac Perry (D), HD 3, opened the hearing on HB 78, Require public hearings for utility planning.

Proponents' Testimony:

16:21:08 Brian Fadie, Montana Environmental Information Center (MEIC)

[EXHIBIT\(ens58a05\)](#)

16:26:09 Randall Pinocci, Public Service Commission (PSC)

16:26:59 Makenna Sellers, Northern Plains Resource Council

Opponents' Testimony:

16:27:40 David Hoffman, NorthWestern Energy (NWE)

Informational Testimony:

16:30:32 Laura Rennick, Energy Bureau chief, Department of Environmental Quality

Questions from Committee Members and Responses:

16:31:01 Sen. Regier

16:31:24 Mr. Fadie, MEIC

16:31:58 Sen. Kary

16:32:21 Mr. Fadie

16:32:32 Sen. Kary

16:34:44 Rep. Perry

16:34:52 Sen. McNally

16:35:07 Rep. Perry

16:35:12 Sen. McNally

16:37:01 Mr. Hoffman, NWE

16:37:17 Sen. McNally

16:37:36 Rep. Perry

16:37:44 Sen. Malek

16:39:08 Mr. Pinocci, PSC

16:39:17 Sen. Malek

16:40:48 Mr. Fadie

16:42:24 Sen. Malek

16:45:10 Mr. Hoffman

Closing by Sponsor:

16:45:30 Rep. Perry

Committee Business:

16:46:15 Chair Ankney

16:47:03 Sen. Barrett

16:47:09 Chair Ankney

16:47:24 Sen. McNally

16:47:44 Sen. Regier

16:47:52 Sen. McNally

16:48:11 Chair Ankney

16:48:31 Sen. Barrett

16:48:44 Trevor Graff, Legislative Services Division

16:49:44 Sen. McNally

ADJOURNMENT

Adjournment: 4:50 PM

Jacelyn Stewart, Secretary

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Additional Document:

Additional Documents:

EXHIBIT([ens58aad.pdf](#))