

Montana Consumer Counsel

9/17/19 STATUS OF CASES

NWE – [2019.09.058](#) - Annual Power Costs and Credits Adjustment Mechanism Filing, filed 9/3/19. This is the first annual power cost true-up pursuant to the recently approved revised tracker mechanism. It covers power costs and credits and demand side management supply costs for the period 7/19-6/20. Requests recovery of \$22,718,059, including \$7,389,585 unrecovered QF costs, for typical bill increase of 3.41%.

NWE – [2016.07.052](#) – 2017 Electricity Supply Tracker, filed 5/31/17.

- \$11,056,083 net under collection for tracker period ended 6/30/17; \$5,613,291 decrease in projected costs for year ended 6/30/18. Net rate change of roughly 0%.
- Interim Order No. 7549 issued 6/27/17 approving continued use of monthly tracker and proposed rates on interim basis.
- Procedural Order No. 7549a issued 8/21/19. Hearing set 1/8/20.

NWE – [2019.02.008](#) (D2019.2.8) - Petition of Grizzly Wind, LLC to Set Terms and Conditions for Qualifying Facility, filed 2/4/19. Grizzly Wind (Grizzly) is a proposed 80 MW wind facility in Stillwater County, owned by Building Energy Development US, LLC and developed by Optimum Renewables, LLC. Grizzly provided NWE an executed Power Purchase Agreement to sell its output at \$24.79/MWh, subject to requested “upward adjustments.”

- Notice of Petition and Opportunity to Intervene issued 2/6/19.
- MCC Petition to Intervene filed 2/20/19.
- Procedural Order No. 7660 issued 2/28/19.
- [MCC Testimony of Jaime Stamatson](#) filed 4/11/19: summarizes the avoided cost calculations and concludes the May 2018 calculations relied upon by Grizzly are too stale; agrees with method used to calculate avoided capacity costs; supports continuing to allow QF retention of renewable energy credits (RECs) to account for environmental benefits; supports 15 year contract length; NWE should be required to identify ancillary service costs based on current costs.
- NWE corrected intervenor testimony filed 6/6/19, proposing avoided energy costs of \$17.40/MWh in the hourly model and \$23.21/MWh in the monthly model.
- Grizzly Wind Rebuttal testimony filed 5/23/19, revising requested avoided cost payments to \$51.42/MWh around-the-clock.
- Hearing held 6/11-13/19.
- Notice of Commission Action issued 7/8/19, consolidating with D2019.2.9 and recaptioning D2019.2.9.
- Final Order No. 7661c issued 8/12/19: agrees that hourly modeling is preferable, but finds it insufficiently supported in the record; finds insufficient evidence to support a declining heat rate;

finds insufficient evidence to support NWE's 30-day averaging of market forecasts; Commission finds merit in condition 3 valuation, but declines to adopt due to lack of evidence associated with hourly data; rejects CO2 adjustment, leaving RECs with Grizzly; due to data concerns, commission relies on earlier 5/30/18 NWE avoided cost calculation, adopting base avoided cost of \$24.38 around-the-clock; finds avoided capacity costs calculated 5/18 to be reasonable; determines NWE's 4/18 variable energy resources study to be best source for ancillary service regulation up requirement calculation; approves fixed 5% capacity factor; NWE's proposed interconnection upgrade costs lack sufficient support; adopts 15 year contract term.

- Grizzly Wind and Black Bear Wind Motion for Reconsideration filed 8/22/19, arguing that 2018 deductions should be applied to the May 2018 avoided cost calculation, or avoided cost should be updated to 2019.

NWE – [2019.02.009](#) (D2019.2.9)- Petition of Black Bear Wind, LLC to Set Terms and Conditions for Qualifying Facility, filed 2/4/19. Black Bear Wind (BBW) is a proposed 80 MW wind facility in Stillwater County, owned by Building Energy Development US, LLC and developed by Optimum Renewables, LLC. BBW provided NWE an executed Power Purchase Agreement to sell its output at \$24.79/MWh, subject to requested “upward adjustments.”

- Notice of Petition and Opportunity to Intervene issued 2/6/19.

- MCC Petition to Intervene filed 2/20/19.

- Procedural Order No. 7661 issued 2/28/19.

- [MCC Testimony of Jaime Stamatson](#) filed 4/17/19: summarizes the avoided cost calculations and concludes the May calculations relied upon by Black Bear are too stale; agrees with method used to calculate avoided capacity costs; supports continuing to allow QF retention of RECs to account for environmental benefits; supports 15 year contract length; NWE should be required to identify ancillary service costs based on current costs.

- Black Bear Wind Rebuttal testimony filed 5/23/19, revising requested avoided cost payments to \$51.42/mWh around-the-clock.

- Hearing held 6/11-13/19.

- Notice of Commission Action issued 7/8/19, consolidating with D2019.2.8 and recaptioning D2019.3.9.

NWE –[2019.06.034](#) – Petition of Caithness Beaver Creek, LLC, to Set Terms and Conditions for Qualifying Facility, filed 6/12/19. Pursuant to MCA, 69-3-603 Caithness has filed this new application to determine terms and conditions for two separate 60MW QF wind projects with 20 MW battery storage: Beaver Creek Wind II and III, located in Sweetgrass and Stillwater Counties. Petition asserts that Caithness is entitled to a 25-year contract at \$58.18/MWh in heavy load hours and \$38.46/MWh in light load hours for energy, and levelized capacity prices of \$152.07/kWh/year. Total around the clock avoided cost is \$49.10/MWh. Caithness claims an LEO as of 5/2/19.

- Notice of Petition and Opportunity to Intervene issued 6/18/19.

- MCC Petition to Intervene filed 7/1/19.

- [MCC Testimony of Jaime Stamatson](#) filed 8/21/19: noted concerns with use of Typical Meteorological Year data to model avoided cost of energy and that the model results were double recent determinations of avoided energy cost; observes that the avoided cost of capacity value used is dated and that there is a wide discrepancy in capacity contribution estimates; supports measure and pay approach for avoided cost of capacity; urges carbon cost estimates not

be added but project owners retain the Renewable Energy Credit values; states 25 year contracts are risky for ratepayers and provides examples of 15 year term agreements.

NWE – [2019.05.026](#) – Petition of Meadowlark Solar for Certification as Eligible Renewable Resource and Community Renewable Energy Project, filed 5/17/19. Meadowlark seeks certification of the 20 MW Meadowlark Solar Project located in Yellowstone County as a Community Renewable Energy Resource.

- Notice of Petition and Opportunity to Comment issued 5/29/19.
- Final Order No. 7689 issued 8/22/19, granting requested certification.

Vote Solar, MEIC and Cypress Creek Renewables v. PSC – BDV-17-0776 – **Petition for Judicial Review**, Eighth Judicial District, filed 12/13/17. Petition for Review of Order Nos. 7500c and d (QF-1, i.e., smaller than 3 MW). Asserts insufficient evidence to support 15-year contract term and satisfy obligation to enhance economic feasibility of QFs; failure to include avoided CO2 costs is inconsistent with prior actions; PSC erred in relying only on market prices prior to 2025 to determine avoided costs; PSC erred in not considering impact of 15-year term on avoided costs; PSC erred in setting 6.1% capacity value by ignoring need during summer months and not accounting for aggregate value with wind resources.

- MCC Motion to Intervene filed 1/19/18.
- Order granting MCC intervention issued 2/21/18.
- Order to Join Cases issued 5/3/18, consolidating DDV-2017-104 and DDV-2017-1022 into BDV-17-0776
- Oral argument held 9/7/18.
- Order Vacating and Modifying Order Nos. 7500c and 7500d issued 4/2/19. District Court finds that: the PSC arbitrarily cut QF rates and contract lengths with the stated purpose of making renewables economically unfeasible and eliminating competition; PSC failed to provide notice of symmetry issue; PSC failed to consider costs of resources NWE plans to acquire in 2019; PSC decision to eliminate CO2 costs was arbitrary; PSC lacked substantial evidence to determine that 15 year contracts are sufficient to enhance economic feasibility of QFs.
- Vote Solar Motion to Alter or Amend Judgment filed 4/18/19. Vote Solar asserts that ordering language does not reflect all components of the Commission decision found to be arbitrary.
- NWE/PSC/MCC Motion to Stay Pending Appeal filed 4/18/19.
- Order Granting Motion to Alter or Amend issued 6/17/19.
- Order Denying Motion to Stay issued 6/17/19, finding the only harm to Defendants would be “time and resources to complete the project they started years ago,” and considerable potential harm to Plaintiffs.
- Findings of Fact and Conclusions of Law for the Symmetry Finding in MTSUN Order No. 7535b, issued 6/18/19. District Court finds the PSC did not provide required notice of the symmetry issue prior to hearing; PSC did not afford opportunity to present or respond to evidence at hearing; PSC failed to follow its own precedent without reasoned explanation; PSC does not have authority to apply QF contract length requirements to utility owned resources; lack of evidence to limit MTSUN contract to 15 years; lack of evidence to depart from prior adoption of carbon pricing. Court finds that an Internal Combustion Engine unit was an appropriate capacity cost proxy; remands to PSC with instructions to issue new order in line with Court’s findings within 30 days.

DA 19-0223 – NWE Notice of Appeal filed 4/11/19.

- NWE Motion for Stay in Supreme Court filed 6/25/19.
- Notice of Appeal of Amended Order filed 6/24/19
- NWE Notice of Appeal filed 6/24/19, from Final MTSun Order entered 6/18/19.
- NWE Motion to Stay Findings of Fact and Conclusions of Law for the MTSun Order No. 7535b Pending Appeal filed 6/24/19.
- Order No. 7500e issued 7/8/19 in Docket No. D2016.5.39, directing NWE to make a compliance filing consistent with the District Court’s findings within 30 days; further directing NWE to include language that any resulting contract is null and void if District Court Order is overturned or modified in any way by the Supreme Court on appeal.
- Order No. 7535c issued 7/17/19 in D2016.12.103 incorporating District Court directives, ordering capacity rates of \$14.07/mWh; further directing NWE to include language that any resulting contract is null and void if District Court Order is overturned or modified in any way by the Supreme Court on appeal.

NWE – [2018.07.046](#) – Annual Gas Cost Tracker, filed 6/3/19. This is an annual proceeding to true up gas commodity costs, reflecting a deferred gas cost balance for the year ending June 30, 2019, and projected costs for year ending 6/30/20. Deferred balance reflects a net over collection of \$57,430. The filing also requests recovery of Gas Transportation Adjustment Clause of \$680,057. Gas cost decrease from \$2.36 to \$2.34. Res. Rate from \$6.32 to \$6.30.

- Notice of Application and Intervention Deadline issued 6/14/19.
- Interim Order No. 7679 issued 6/28/19, approving requested rates on interim basis.
- MCC Petition to Intervene filed 7/12/19.
- Procedural Order No. 7678a issued 8/1/19.
- NWE Supplemental Testimony filed 9/12. Responding to MCC data requests NWE discovered an error that had resulted in a net \$657,379 over-collection. Revised rates result in .89% typical bill decrease. Proposed rate adjusted to \$6.26.

NWE – [2018.07.046](#) – August gas tracker, filed 7/16/19. Gas decrease from \$2.34 to \$2.30. Res. Rate from \$6.30 to \$6.25.

NWE – [2018.07.046](#) – September gas tracker, filed 8/15/19. Gas decrease from \$2.30 to \$2.24. Res. Rate from \$6.25 to \$6.19.

NWE – [2019.04.019](#) – Townsend Propane Annual Rate Adjustment, filed 4/30/19.

NorthWestern proposes to increase summer propane rates from \$.910/therm to \$.938/therm and winter rates from \$1.107/therm to \$1.141/therm, as well as collect a prior period under recovery of \$24,253, through a \$.05079/therm surcharge.

- Notice of Opportunity to Comment issued 5/6/19.
- Interim Order No. 7672 issued 5/31/19, approving requested rates on interim basis.
- Final Order No. 7672a issued 7/16/19, approving requested rates.

HPC – [2019.07.042](#) – Farmstead Customer Rate Adjustment, filed 7/31/19. This is the annual rate adjustment filing of the Havre Pipeline Company for its farmstead customers served under easement provisions. HPC proposes a 6.8% decrease from \$.9256/Mcf to \$.8628/Mcf.

MDU – [2018.09.060](#) – Application to Increase Electric Rates, filed 9/28/18. MDU requests a revenue increase of \$11,882,128 (18.9%). Proposed class increases are: Residential (22%), Small General (18.8%), Large General (17.1%), Municipal Pumping (22.8%), and Lighting (21.5%). “Typical” residential bills would increase \$16.23/mo. MDU is requesting a 10.3% authorized equity return and 7.54% overall return. Proposed Residential Basic Service Charge increase to \$7.60/mo. (47%). MDU also seeks to expand the Purchased Power Cost Tracking mechanism to include transmission costs. MDU requests interim increase of \$4,596,161.

- Notice of Application and Intervention Deadline issued 10/2/18.
- MCC Petition to Intervene filed 10/18/18.
- Procedural Order No. 7645 issued 11/19/18.
- Notice of Additional Issues served 12/20/18, requesting testimony and recommendations regarding MDU’s tracker mechanism in view of amendment to 69-8-210 and recent order revising NWE’s tracker mechanism.
- [MCC testimony](#) filed 2/19/19: HILL (jointly with Denbury) – discusses representative capital structures and evaluates cost of equity capital using several methods; recommends a capital structure with 47.54% equity and 5% short-term debt and 8.75% return on common equity. GARRETT (jointly with Denbury) – recommends depreciation expense adjustments to several transmission and distribution accounts, reducing expense by \$1,789,435. SMITH – recommends adjustments to multiple rate base and expense items, resulting in a revenue increase of \$7.269 million; opposes shifting RTO transmission expense recovery to tracking mechanism. WATKINS – criticizes MDU’s use of the “average and excess” method to allocate generation costs; recommends that primary distribution be classified 100% demand and allocated based on class non-coincident peaks; accepts proposal to limit class increases to 125% of system average; recommends no change in existing residential service charge of \$5.17/mo.
- Interim Order No. 7645d issued 3/7/19, authorizing \$7,935,155 (12.59% overall) equal percentage interim increase in all rate schedules on interim basis, based on MCC revenue requirement calculation adjusted for 9.25% equity return.
- [MCC Cross-Intervenor Testimony of Glenn Watkins](#) filed 3/26/19: Agrees with Denbury that MDU’s estimates of class non-coincident peak demands are flawed, but further explains that the class contributions to the 12 monthly coincident peak demands relied upon by Denbury are also flawed and unreliable; as a result, recommends that no cost of service study is reliable and all classes should receive equal percentage increases.
- [MCC/MDU/Denbury Stipulation and Settlement](#) filed 4/24/19: \$9.0 million increase with additional \$300,000 12 months later; \$.19/day customer charge; no new rate filing prior to 6/1/21; depreciation rates as proposed by David Garrett; no RTO transmission costs in Rate 58 tracker; no electric tracker deadband; commit to collaborate to improve calculation of class coincident and non-coincident peaks; MDU to perform lead lag study prior to next filing; equal percentage allocation of increase (15.36%), except for rate 35 Contract Service (10.07%).
- Hearing held 4/30/19.
- Final Order No. 7645e issued 7/31/19, approving Stipulation and Settlement.

MDU – [2019.06.036](#) – Annual Purchased Power Tracking Adjustment, filed 6/17/19. In this annual filing, MDU trues-up its tracked electricity supply costs for May 2018 through April 2019 period. The filing claims a \$94,496 under-collection from Primary customers and a \$458,524 under-collection from Secondary. Net effect of tracker would be .036 cent increase to

primary and .006 cent increase to secondary customers. Total fuel and purchased power in tariff is \$0.02575/kwh for secondary.

- Notice of Application and Intervention Deadline issued 6/26/19.
- Interim Order No. 7679 issued 6/28/19, approving requested rates on interim basis.
- MCC Petition to Intervene filed 7/12/19.
- Procedural Order No. 7679a issued 8/1/19.

MDU – [2019.06.036](#) - August Electric Cost Tracker – Rate 58. Filed 7/12/19. Decrease of .246¢/kwh secondary – total fuel and purchased power in tariff is \$0.02270/kwh.

MDU – [2019.06.036](#) - September Electric Cost Tracker – Rate 58. Filed 8/15/19. Decrease of .117¢/kwh secondary, plus changes allowed in D2018.9.60, including sand expense – total fuel and purchased power in tariff is \$0.02425/kwh.

MDU – [2018.12.084](#) – Annual Rate 93 Avoided Cost Update, filed 12/27/18. This filing updates MDU’s metering charges and energy and capacity payments applicable under its avoided cost tariff for 2019. MDU calculates energy payments using its production cost model, includes on- and off-peak rates, and offers options to fix the rate or accept annual Rate 93 changes. MDU is proposing to allow contract terms of 15 years, with fixed energy payments escalated at 3% annually. Proposed capacity payments reflect the MISO capacity auction price for Zone 1 through 2023 and levelized cost of a combustion turbine installed in 2024 for later years. Reduced income taxes and capital costs have lowered projected 2024 capacity payments. Proposed energy payments are \$.02252/kwh in 2019, monthly capacity payments are \$.03/Kw through 5/31/19, changing every year through 2023 based on MISO rates and \$9.247/Kw effective 6/1/2024.

- Notice of Application and Intervention Deadline issued 1/4/19.
- MCC Petition to Intervene filed 1/16/19.
- Procedural Order No. 7658 issued 2/1/19.
- Notice of Commission Action Amending Procedural Schedule issued 2/4/19. Hearing set 6/21/19.
- Final Order No. 7658a issued 8/23/19, approving requested tariffs.

MDU – [2019.07.043](#) - Biennial Electric Integrated Resource Plan, filed 7/12/19. MDU’s biennial filing of its resource plan for its electric system in Montana, North Dakota and South Dakota to consider resource options to meet consumer demand. The plan includes 20-year load forecasting, demand-side analysis, supply-side analysis, and integration and risk analysis. Base case plan includes retiring Lewis & Clark 1 coal plant at end of 2020 and Heskett 1 & 2 coal plants by end of 2021, adding an 88 MW simple cycle combustion turbine at Heskett Station by 2023, increasing MISO purchases and issuing new RFP for next biennial plan cycle.

MDU – [2019.09.064](#) - Annual Gas Cost Tracker, filed 9/6/19. In this annual filing MDU requests a true-up of gas costs for the year ended September 2019. Net effect is \$.016/dk for Residential class.

MDU – [2019.03.011](#) – Natural Gas Conservation Program. Filed 2/28/19. MDU seeks approval of its natural gas conservation portfolio for program years 2020-2022, proposing to

continue all current programs with the exception of incentives for high efficiency residential boiler replacements.

- Notice of Application and Intervention Deadline issued 3/14/19.
- MCC Petition to Intervene filed 3/28/19.
- Procedural Order No. 7665 issued 4/11/19.
- Final Order No. 7665a issued 8/21/19, approving proposed conservation portfolio for 2020-2022.

MDU – [2018.09.057](#) - Application to Discontinue Natural Gas Service to Saco/Bowdoin Area, filed 9/18/18. MDU seeks to abandon regulated gas service to 38 residential and 3 commercial accounts in the Bowdoin natural gas field area. Other customers in the area receive free gas service as a condition of easement terms from Scout Energy Partners. MDU purchases gas from Scout and delivers it through gathering lines owned by Williston Basin, a sister company. Reduced pressure is causing freeze ups. Asserts direct expenses of service exceeds revenues, and building alternative supply lines would cost \$2.2 million. MDU is offering assistance with conversions with a deadline of 8/31/19. Conversion costs are expected to be \$205,000 (\$5000/account) and abandonment costs \$95,000. MDU requests deferred accounting for these costs.

- Notice of Application and Intervention Deadline issued 9/25/18.
- MCC Petition to Intervene filed 10/10/18.
- Procedural Order No. 7673 issued 6/17/19.
- [MCC Testimony of George L. Donkin](#) filed 8/5/19: summarizes the issues with service to Bowdoin customers; describes costs of alternative energy sources compared to current natural gas rates; recommends that increased costs are not justified at this time.
- MDU Motion for Additional Process filed 8/19/19.
- Notice of Staff Action issued 9/5/19, extending procedural schedule and setting hearing 12/5/19.

WBI Energy Transmission – FERC Docket No. RP19-165-000 – Gas Transmission Rate Increase, filed 10/31/18. WBI provides the bulk of gas transmission services to MDU and costs are passed on through MDU trackers. WBI is requesting a \$34 million increase for a total revenue requirement of \$129 million. WBI requests an authorized Return on Equity of 14.5% and overall Rate of Return of 10.9% based on an equity ratio of 64%. The filing proposes a rate discount mechanism that would hold the company harmless for revenue impacts, and a Straight Fixed-Variable method to allocate costs and design rates. WBI further requests a Capital, Environmental and Safety Cost Recovery Mechanism (CESCRM) rate surcharge and tracker.

- MCC Motion to Intervene and Protest filed 11/14/18.
- Commission Order Accepting and Suspending Tariffs and Establishing Hearing Procedures issued 11/30/18.
- Order Scheduling Prehearing Conference issued 12/6/18.
- Prehearing Conference held 12/13/18.
- Order Establishing Procedural Schedule issued 12/14/18.
- WBI Motion filed 5/28/19 for expeditious approval to place interim settlement rates into effect pending filing and approval of settlement agreement. Requests effective date of 5/1/19, replacing Motion (Interim) rates. FT-1 rate (Firm Transportation) would be reduced from \$11.41/Dk to \$9.84/Dk (14%).

- Order of Chief Judge granting Motion for interim implementation of settlement rates issued 5/30/19.
- Settlement filed 6/28/19: Approximately \$16 million increase; WBI will not file a new Section 4 rate case for a period of 2 years; WBI will file for new rates no later than 8/1/24 and will not seek a modernization tracker prior to then; specifies depreciation rates and excess accumulated deferred income taxes of \$33,164,281.
- Administrative Law Judge Certification of Settlement issued 8/15/19.

EWM – [2019.06.031](#) – Annual Gas Cost Tracker, filed 5/31/19. In this annual filing, EWM seeks to true-up gas costs for the 12 months ending March 31, 2019, and refund a net over-collection of \$1,458,881. Residential rate decreases to \$3.37/Mcf.

- Notice of Application and Intervention Deadline issued 6/26/19.
- MCC Petition to Intervene filed 7/12/19.
- Procedural Order No. 7687 issued 8/1/19.

EWM – [2018.04.023](#) – July gas tracker filed 6/25/19. Res. rate decrease to \$3.13/Mcf.

EWM – [2018.04.023](#) – August gas tracker filed 7/25/19. Res. rate increase to \$3.76/Mcf.

EWM – [2018.04.023](#) – September gas tracker filed 8/27/19. Res. rate decrease to \$3.70/Mcf.

EWM – [2019.06.032](#) – Annual USB Tracker, filed 5/31/19. In this annual filing, EWM seeks to true-up Universal System Benefits (USB) collections and expenditures for its Great Falls/Cascade Division (GF) and for its West Yellowstone Division (WY). It proposes to decrease its GF USB rate for 12 months from \$.0682/Mcf to \$.0523/Mcf to refund overcollections of \$120,788, after which it would return to \$.0846/Mcf to collect \$357,000/yr. It proposes to increase the WY USB rate from \$.0501/Mcf to \$.0539/Mcf to collect the statutory minimum of .42% of previous year's revenues.

- Notice of Application and Intervention Deadline issued 6/26/19.
- MCC Petition to Intervene filed 7/12/19.
- Procedural Order No. 7692 issued 9/4/19. Hearing set 1/22/20.

EWM – [2019.08.047](#) - Petition for Accounting Order, filed 8/7/19. EWM requests an accounting order authorizing deferral of 2019 property tax expenses due to changes in DOR's taxing methodology. EWM was informed 1/19 that it would be centrally assessed, increasing tax expense by \$571,178 over 2018 expense of \$960,013, due to centrally assessed property tax rates.

- Notice of Petition and Intervention Deadline issued 8/23/19.
- MCC Petition to Intervene filed 9/6/19.

Cut Bank Gas – [2019.08.048](#) - Petition for Accounting Order, filed 8/7/19. CBG requests an accounting order authorizing deferral of 2019 property tax expenses due to changes in DOR's taxing methodology. CBG was informed 1/19 that it would be centrally assessed, increasing tax expense by \$41,983 over 2018 expense of \$22,890, due to centrally assessed property tax rates.

- Notice of Petition and Intervention Deadline issued 8/29/19.

Miller Oil – [2018.02.011](#) – Annual Propane Cost Tracking Adjustment, filed 6/3/19.

- This annual commodity cost tracker proposes an annual increase of \$4,760.
- Notice of Application and Intervention Deadline issued 6/18/19.
- MCC Petition to Intervene filed 7/11/19.
- Procedural Order No. 7686 issued 7/30/19.

Glacier Point Water and Sewer – [2014.06.057](#) – Intent to Continue Standard Rates, filed 4/24/17.

- Standard Rates were initially approved 8/1/14. Water and sewer rates were increased to \$50 and \$30/mo., respectively. Commission sent three-year compliance notice 4/4/17. Request to continue standard rates filed 4/24/17.
- Notice of Opportunity to Comment issued 6/16/17.
- [MCC Comments](#) filed 6/29/17: objects to request to indefinitely continue standard rates without review; standard rates expire after three years at which time utility must elect to file standard rate case, application of operating ratio methodology, or request for extension of standard rates; PSC rules recognize that standard rates may be rejected if utility has been operating pursuant to Commission-approved rates and standard rates would be unjust and unreasonable; Glacier Point has not supported its election to continue standard rates; MCC should be allowed to review.
- Procedural Order and Opportunity to Intervene, Order No. 7531a, issued 7/18/17, establishing deadlines for intervention and intervenor testimony.
- Notice of Commission Action issued 7/25/17, authorizing existing rates on interim basis.
- MCC Petition to Intervene filed 7/26/17.
- Procedural Order No. 7531b issued 8/28/17, allowing for discovery, testimony and comments.
- [MCC testimony of Paul Schulz](#) filed 10/6/17: notes this is application to extend, rather than establish, standard rates so information should be available; traditional cost of service analysis produces combined water and sewer rate of \$63.62; operating ratio produces rate of \$61.99; both assume all reported expenses are reasonable; used Glacier Point's reported rate base in 2016 reduced by average accumulated depreciation since that date and increased by working cash allowance; used actual 82% equity capital structure and 9.8% ROE; recommends combined rate of \$64 (\$40 water and \$24 sewer).
- [MCC Comments and Contingent Request for Further Process](#) filed 10/18/17: Requests implementation of Paul Schulz recommended rates, or opportunity for hearing.
- Notice of Commission Action issued 8/8/18, requiring filing by 9/24/18 of rate application pursuant to minimum rate case filing standards, or operating ratio methodology.
- Notice of Staff Action issued 11/9/18 granting extension to file application.
- Glacier Point Rate Application filed 11/30/18. Application requests increases of \$3.00 and \$2.00/mo. For water and sewer service, respectively, and \$36/mo. Irrigation charge for May through September.
- Notice of Application and Intervention Deadline issued 1/25/19.
- MCC Petition to Intervene filed 2/15/19.
- Procedural Order No. 7351c issued 3/6/19.
- [MCC Testimony of Paul Schulz](#) filed 4/16/19: recommends a combined rate of \$71.68/mo. with \$44.80 for water and \$26.88 for sewer; explains why a tax liability should not be imputed for pass-through entities such as Glacier; explains why 54% ROE is unreasonable and why size and regulatory risk adjustments should not be applied; describes the effect of a \$36/mo. irrigation charge on revenues, the fact that it is a regulated charge and that an offsetting rate base

adjustment is inappropriate and does not affect that status; excludes unamortized regulatory expense from rate base.

- [Stipulation of MCC and Glacier Point](#) filed 7/8/19, agreeing to \$75/month combined water and sewer rate, no refund of interim collections, and \$5 late fee for accounts more than 30 days past due.
- Hearing held 7/9/19.
- Final Order No.7351d issued 9/5/19, approving Stipulation.

Kookoosint Village Homeowners Assoc. – [2018.10.070](#) – Application for Transfer of Ownership and Proposed Standard Rate, filed 10/3/18. Kookoosint Village Homeowners Association seeks approval of transfer of water system to AP Kookoosint, LLC, (APK) and APK seeks simultaneous approval of standard rates.

- Notice of Application and Intervention Deadline issued 1/25/19.
- MCC Petition to Intervene filed 2/15/19.
- Procedural Order No. 7663 issued 3/12/19.
- Final Order No. 7663a issued 7/9/19, approving transfer and standard rates through 12/1/21, and requiring rate application prior to 9/1/21.

HLH, LLC – [2018.09.063](#) - Application to Increase Water Rates, filed 9/28/18. HLH requests a \$156,952 (32%) increase for water service in its Big Sky service area.

- Notice of Application and Intervention Deadline issued 10/2/18.
- MCC Petition to Intervene filed 10/18/18.
- Procedural Order No. 7642 issued 11/2/18. Hearing set 6/5/19.
- [HLH/MCC Stipulation](#) filed 1/23/19, agreeing to revenue requirement increase of \$140,157 based on 9.5% equity return.
- Firelight Meadow’s Condominium Owner’s Association Motion for Late Intervention granted 2/20/19.
- Procedural Order No. 7642a issued 3/1/19.
- Notice of Additional Issues served 4/16/19: Affiliated interest transactions, Debt financing agreements, and Capital structure support.
- Hearing held 6/5/19.
- HLH/MCC/FLM Stipulation filed 6/20/19, agreeing to revenue requirement increase of \$120,157.
- Proposed Order No. 7642b issued 7/16/19, approving 6/20/19 Stipulation.

North Star Development – [2010.06.060](#) – Application for Water and Sewer Rate Increase, filed 1/23/19. This application results from the Commission’s notification that North Star must file for replacement of its standard rates previously approved. North Star requests an \$8600 (3.6%) increase, raising monthly water and sewer rates to \$41.00 and \$30.55, respectively.

- Notice of Application and Intervention Deadline issued 1/30/19.
- MCC Petition to Intervene filed 2/20/19.
- North Star amended application filed 3/25/19 based on an engineering report requesting monthly water and sewer rates of \$124.02 and \$76.89 respectively.
- Notice of Commission Action issued 4/24/19, finding North Star’s Application fails to satisfy minimum filing requirements because it does not report cost of net utility plant in service; allows 30 days to refile and suggests considering operating ratio method.

- Notice of Staff Action issued 5/17/19 extending refile deadline to 6/22/19.
- North Star Supplementation of Application filed 6/21/19. North Star seeks to amend its annual reports for 2014-2017, and revises its rate increase request to \$1,732,369, increasing flat rates for water from \$40/mo. to \$297.70/mo., and sewer rates from \$30.00/mo. to \$189.76/ mo.
- Notice of Application and Intervention Deadline issued 7/24/19.
- Procedural Order No. 7105d issued 8/21/19. Hearing set 1/29/20.

Phantom Hills Water Co. – [2019.04.025](#) – Application for Transfer to City of Missoula, filed 4/30/19. Applicant provides water service to 174 customers in the Ranch Club subdivision located within Missoula. Phantom Hills proposes to donate all assets to Missoula, lowering rates.

- Notice of Application and Intervention Deadline issued 5/10/19.
- MCC Petition to Intervene filed 5/31/19.
- Procedural Order No. 7674 issued 6/20/19.
- Final Order No. 7674a issued 7/30/19, applying “no harm to consumers” standard of review and approving sale and transfer.

Williams Water Works – [2019.03.013](#) – Application for Purchase and Sale, filed 2/6/19.

- Williams requests authorization to sell its water system in the Kalispell area to AP Williams, LLC.
- Notice of Application and Intervention Deadline issued 4/11/19.
- Notice Consolidating with [2019.03.014](#), Application to Continue Standard Rates, issued 4/11/19.
- Procedural Order No. 7676 issued 6/26/19.
- MCC Petition to Intervene filed 5/28/19.
- Procedural Order No. 7676 issued 6/26/19.
- MCC Request for Additional Process filed 8/16/19.

Town of Geraldine – Notice of Sewer Rate Increase, received 9/4/19. Town is proposing to increase Residential sewer rates from \$23.17/mo. to \$30.17 in order to repay bonds, pay O&M costs and undertake certain improvements. Public hearing scheduled 9/17/19.

Citizens Telecommunications Co. – [2019.06.039](#) – Joint Application to Transfer Control of Citizens from Frontier Communications Corp. to Northwest Fiber, LLC, filed 6/28/19.

- Northwest Fiber (NF) and Frontier Communications request that the PSC decline to assert jurisdiction over the transfer of Citizens Telecommunications Company to Northwest Fiber, or find that the transfer is consistent with the public interest. NF asserts it has developed a plan to improve the network serving Montana, Idaho, Washington and Oregon, and that it will preserve and enhance traditional voice services. NF is owned by NWF Holdco, which in turn will be owned by investment funds WaveDivision Capital VII, LLC, and funds affiliated with Searchlight Capital Partners, L.P. Citizens serves 4,700 access lines in Montana.
- Notice of Application and Intervention Deadline issued 7/30/19.
- MCC Petition to Intervene filed 8/19/19.
- Procedural Order No. 7690 issued 8/30/19. Hearing set 12/11/19.