

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE MONTANA PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF NorthWestern)
Energy's Petition for a Waiver from) REGULATORY DIVISION
Compliance with the Community Renewable)
Energy Project Purchase Obligation for) DOCKET NO. D2016.4.33
Calendar Years 2015 and 2016) DOCKET NO. D2017.8.65

**MONTANA ENVIRONMENTAL INFORMATION CENTER AND NW ENERGY
COALITION'S RESPONSES TO NORTHWESTERN ENERGY'S FIRST SET OF DATA
REQUESTS NWE-001-005**

*NWE-001 Regarding: Qualifications
Witness: Fadie and Rivas*

Please provide your qualifications as they relate to evaluation of energy resources.

Response of Witness Rivas:

My qualifications are generally detailed in my resume, which is attached as Exhibit 1 to my testimony. In addition, having worked on energy policy with the NW Energy Coalition for eight years, I am well-versed in Integrated Resources Plans and the evaluation of utility resources throughout the northwest region, including in the following states: Washington, Idaho, Montana, and Oregon. In addition, I have been a member of NorthWestern Energy's Electricity Technical Advisory Committee (ETAC) for all eight years of my employment with the Coalition. As stated in the ETAC Ground Rules memorandum dated September 5, 2002, "[t]he purpose of the NorthWestern Advisory Committee is to provide advice to NorthWestern Energy about the acquisition of an electricity supply for its default customers."¹ As a member of that committee, I have regularly evaluated, participated in discussions on, and provided advice to NorthWestern Energy on all aspects of its acquisition of electricity supply for its default customers, including, as relevant to my testimony in this docket, matters regarding NorthWestern's obligation to procure CREP eligible resources.

For the last three years, I have also served as a member of Idaho Power's Energy Efficiency Advisory Group, advising that utility on issues related to demand-side-management, including program evaluation and cost-effectiveness for energy efficiency and demand response programs.

¹ Consensus Associates, Memorandum, Attachment 1, Page 1
http://www.northwesternenergy.com/docs/default-source/documents/etac/2017/consensus_associates_memorandum_12-07-2016.pdf

In 2015, in response to the need for states to comply with the Clean Power Plan, I conducted extensive analysis regarding compliance pathways for Montana and Idaho, including potential decommissioning and/or building of coal, natural gas and renewable resources. This was done using both the MJ Bradley CPP Compliance Tool as well as the Synapse Energy Economics CP3T model. I also analyzed the role energy efficiency could play in compliance using the State and Utility Pollution Reduction Calculator (SUPR2) developed by the American Council for an Energy-Efficient Economy (ACEEE). Further, as noted in my resume, in 2016 I was appointed by Montana Governor Bullock to the Clean Power Plan Advisory Council.

Response of Witness Fadie:

My qualifications are generally detailed in my resume, which is attached as Exhibit 1 to my testimony. Additionally, I have been a member of NorthWestern Energy's Electricity Technical Advisory Committee (ETAC) since beginning my position at MEIC in July 2016. As stated in the ETAC Ground Rules memorandum dated September 5, 2002, "[t]he purpose of the NorthWestern Advisory Committee is to provide advice to NorthWestern Energy about the acquisition of an electricity supply for its default customers."² As a member of that committee, I have regularly evaluated, participated in discussions on, and provided advice to NorthWestern Energy on all aspects of its acquisition of electricity supply for its default customers, including, as relevant to my testimony in this docket, matters regarding NorthWestern's obligation to procure CREP eligible resources.

Through my work at MEIC, I regularly research and review state, federal, and local energy policies and regulations pertaining to energy resources. Specifically, my work includes researching and reviewing federal and state statutes, Commission rules, and Commission rulings regarding the Renewable Power Production and Rural Economic Development Act, net metering, utility resource supply planning, and the Public Utilities Regulatory Policy Act (PURPA). In addition, I am a registered lobbyist in the State of Montana and have testified before legislative committees regarding CREPs, net metering, utility resource supply planning, and PURPA implementation. I have also attended three conferences of the NW Energy Coalition that have included in-depth discussions of utility decision making regarding renewable energy technologies, carbon pricing, the future of natural gas generation units, utility resource planning and renewable energy, energy efficiency strategies, and economic analysis of solar energy technologies. Further, I have attended presentations of findings from academic researchers and government agencies regarding coal plant operations in the western United States and energy storage operations and economics.

In addition, I have reviewed and submitted comments on behalf of MEIC on the Integrated Resource Plans of Avista Corp and Puget Sound Energy (as of February 21, 2018), specifically in regard to their evaluation of renewable energy resources. I am also currently participating in the Bonneville Power Administration's Montana Renewable Resource Development Action Plan

² Consensus Associates, Memorandum, Attachment 1, Page 1
http://www.northwesternenergy.com/docs/default-source/documents/etac/2017/consensus_associates_memorandum_12-07-2016.pdf

that is reviewing and creating recommendations for eliminating barriers to renewable energy development in Montana.

Further, as part of obtaining my master's degree in environmental policy and planning at the University of Michigan, I received training in electricity markets; utility regulation; renewable energy development policies; distributed energy policies; energy efficiency technologies and policies; carbon markets; and international, federal, state, and local climate policies. My capstone project reviewed the Desert Renewable Energy Conservation Plan with the U.S. Bureau of Land Management (BLM) as a client. This project included researching federal, state, and local renewable energy policies and understanding the operations of renewable energy generation facilities in order to inform recommendations for future resource management planning processes. Presentations of findings were made to BLM California staff and the BLM's Collaborative Action and Dispute Resolution program.

*NWE-002 Regarding: Qualifications
Witness: Rivas*

Please provide your qualifications as they relate to utility management and obligations.

See response of Witness Rivas to NWE-001.

*NWE-003 Regarding: Qualifications
Witness: Fadie*

Please provide your qualifications as they relate to statutory and legal interpretation.

MEIC and NW Energy Coalition object that this data request is argumentative insofar that it assumes that Mr. Fadie's testimony contains statutory and legal interpretation. It is MEIC and NW Energy Coalition's understanding that it is the Commission's role to determine the proper statutory and legal interpretation of the cost-cap provision at issue in this proceeding. Mr. Fadie's discussion of the cost-cap provision in his testimony states his understanding of the operation of the cost-cap provision based on his experience with utility resource acquisition practices and regulation as described in response to NWE-001.

*NWE-004 Regarding: Expert witness
Witness: Fadie and Rivas*

Response of Witness Rivas:

- a. *Outside of this proceeding, have you ever been retained to testify as an expert witness in court or before an administrative agency?*
 - a. Yes.

- b. *If the answer to subpart a is yes, please list all matters for which you were retained as an expert, including venue, docket number, whom you were testifying on behalf of, and subject matter of expert testimony.*
- a. Idaho Public Utilities Commission, INT-G-16-02, on behalf of the NW Energy Coalition and Idaho Conservation League, regarding demand-side management, rate design and low-income issues.
- c. *Please produce copies of any expert opinions or testimonies you provided in the matters noted in your answer to subpart b above.*
- a. A copy of my testimony is attached to these discovery responses. In addition, my testimony is publicly available on the IPUC website at <http://www.puc.idaho.gov/fileroom/cases/gas/INT/INTG1602/intervenor//IDAHO%20CONSERVATION%20LEAGUE/20161216RIVAS%20DIRECT%20WITH%20EXHIBIT%20401.PDF>.

Response of Witness Fadie:

- a. *Outside of this proceeding, have you ever been retained to testify as an expert witness in court or before an administrative agency?*
No.
- b. *If the answer to subpart a is yes, please list all matters for which you were retained as an expert, including venue, docket number, whom you were testifying on behalf of, and subject matter of expert testimony.*
Not applicable
- c. *Please produce copies of any expert opinions or testimonies you provided in the matters noted in your answer to subpart b above.*
Not applicable

NWE-005 *Regarding: Existing CREP-eligible resources*
 Witness: Rivas

Please identify all CREP-eligible projects existing in 2015 or 2016 of which you are aware that were offered to NorthWestern and that NorthWestern refused to consider acquiring.

I am not aware of any such projects that were offered to NorthWestern and that NorthWestern refused to consider acquiring. As I am not an employee of NorthWestern Energy, I am not privy to information concerning project offers to NorthWestern and NorthWestern's decisions related to those offers.

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of February, 2018, I served the foregoing by first-class mail, postage prepaid, on the following:

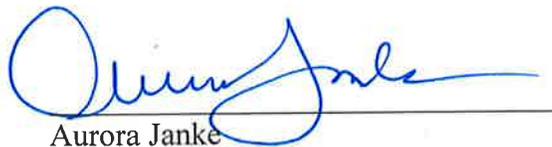
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