

1 DEPARTMENT OF PUBLIC SERVICE REGULATION
2 BEFORE THE PUBLIC SERVICE COMMISSION
3 OF THE STATE OF MONTANA

4
5 *****

6
7 IN THE MATTER OF THE) UTILITY DIVISION
8 PETITION OF DR. PAUL WILLIAMSON,)
9 REV. DR. VERN KLINGMAN, PATRICIA)
10 KLINGMAN & RUSSELL L. DOTY, ON)
11 BEHALF OF THEMSELVES &)
12 OTHERS SIMILARLY SITUATED)
13 Petitioners.)
14 VS.)
15 NORTHWESTERN ENERGY) DOCKET NO. _____
16 Respondent.)

17
18 SUMMARY OF PETITION
19

- 20 I. In Docket No. N2009.4.45 this Commission was asked to create a rule requiring
21 LED street lighting. It had required high pressure sodium lighting in the 1980s.
22 In its order the Commission noted that the utility representatives involved in
23 that rulemaking asserted “that the costs of converting their existing street and
24 area lighting to LED luminaires exceed the benefits at this time and that
25 payback periods could often exceed the life of the luminaire.” However,
26 Northwestern Energy’s analysis did not include consideration of the ownership
27 charge it levies for existing lights.
- 28 II. When that ownership charge is considered, for 85% of the street lights that
29 Northwestern owns in Billings, the failure to convert to LEDs exceeds the
30 benefits of maintaining outdated technology. It costs Billings taxpayers \$61,798 a
31 month in ownership overcharges. It probably costs taxpayers in other parts of
32 Northwestern’s service area an additional \$120,000 a month. It also deprives
33 them of savings that could accrue if their night-time energy bills were reduced
34 by 50% because NorthWestern refuses to exchange its lights for proven, more
35 efficient ones.
- 36 III. In its order in Docket No. N2009.4.45 the Commission also noted the LED
37 technology, while promising did not yet “warrant a mandatory street and
38 outdoor lighting conversion program” in all cases. This petition narrowly
39 addresses the cases where a mandatory conversion is warranted.
- 40 IV. The Commission did not rule on the timely motion to reconsider its ruling in
41 Docket No. N2009.4.45.
- 42 V. Thus to address Northwestern Energy’s failure to afford its customers a product
43 that would save them energy and money in many if not all cases this rate case
44 petition is being filed. The evidence also will update the Commission on the
45 status of LED technology. LEDs are a “promising technology indeed, as the
46 Commission noted. Since its order in the proposed rulemaking, LED efficiency

1 in the case of a leading manufacturer has improved by 15% and many more
2 LED installations have occurred. Los Angeles, for example, has installed 8,000
3 LED street lights and is on its way to replacing 140,000 of its outdated street
4 lights over the next five years. Michigan received 269 requests from local
5 governments that wished to use Economic Recovery Act money to replace
6 existing street lights with energy efficient LEDs. The Los Angeles and Michigan
7 developments are a clear indication that LED street lights have moved beyond
8 the developmental stage noted in the Commission's Docket N2009.4.45 order.

9 **VI. This petition is a no-regrets, six-win solution to combating global warming. It
10 promotes energy independence from a monopoly by holding it accountable for
11 price gouging that regulators have not addressed. For many, other than
12 NorthWestern's stockholders, it will save a bundle of money. It will create jobs
13 for workers who will replace the street lights, and reduce nighttime energy use
14 by 50%. And we'll experience improved road safety because drivers will be able
15 to see better under the superior, more uniform, scotopic light emitted by LEDs.
16 Therefore:**

17
18 **INFORMATION REQUIRED BY ARM § 38.2.1202(1)(a)**

19 **STATEMENT OF RELIEF SOUGHT**

20 **COME NOW YOUR PETITIONERS TO RESPECTFULLY REQUEST THE**
21 **MONTANA PUBLIC SERVICE COMMISSION:**

- 22
23 **A. Pursuant to MCA § 69-3-321 to eliminate street lighting overcharges (and cross-**
24 **subsidization of non-street lighting customers by street lighting customers) because**
25 **Respondent's street lighting tariff ownership charge is excessive, unreasonable, and**
26 **unjustly discriminatory (it costs certain Montana ratepayers more than \$180,000 a**
27 **month);**
- 28 **B. In all street and area lighting districts or applications where an ownership overcharge**
29 **exists, for a Commission order directing that unless (after being apprised of a customer-**
30 **ownership option) a customer wants to install LEDs itself, Respondent shall, subject to**
31 **Commission approval, install forthwith, energy star, US manufactured LED**
32 **luminaires and shall apply existing ownership overcharges (without raising them) to**
33 **defray the installation costs of switching to more efficient lighting;**

- 1 **C. For a Commission order directing that when Respondent’s cost of installing LEDs in a**
2 **lighting district plus the allowed rate of return on that investment has been completely**
3 **defrayed by Respondent’s ownership charge, that such charge shall cease in that**
4 **district or for that application;**
- 5 **D. Pursuant to MCA § 69-3-301 for an order directing Respondent to include in its bills to**
6 **all ELDS-1 customers:**
- 7 **a. The date when the ownership charge shall have fully paid for the facilities it is**
8 **being applied to;**
- 9 **b. The date when the ownership charge shall cease;**
- 10 **c. The per lighting unit original cost of any new LED or other installation and**
11 **ownership charge being applied, and**
- 12 **E. Pursuant to MCA § 69-3-301 for an order directing Respondent to provide to a city or**
13 **other entities, including but not limited to affected property owners, taking new street**
14 **light service involving an ownership charge, the average per unit (street light) original**
15 **cost of all facilities involved in calculating the ownership charge, the name of each item**
16 **involved in the ownership charge calculation, and an itemized list of all costs involved in**
17 **determining the ownership charge.**
- 18 **F. Pursuant to MCA § 69-3-304, (and subject to reinstatement when the provisions of**
19 **paragraph 2 have been implemented for a district or installation, and if the customer**
20 **has not elected to own replacement LED lights) for temporary elimination of the**
21 **\$61,798 monthly verified and estimated ownership overcharge in Billings and**
22 **temporary elimination of similar overcharges occurring in all Montana street lighting**
23 **districts or other installations served by Northwestern Energy where the ownership**

1 charge has been or will have been at any time during proceedings under this docket or
2 before this filing in effect for lights pursuant to Northwestern Energy's Schedule No.
3 ELDS-1, Electric Lighting Delivery Service Tariff (or its successors or predecessors),
4 that were placed in each cost range indicated in that tariff if more than the number of
5 years indicated in (Table 1, Column 5, rows B through N) below has passed since
6 Northwestern began levying an ownership charge for the lights;

7 **G. For an order amending all existing contracts respondent has for street lighting or any
8 other lighting service where ownership charges are involved to include a clause
9 terminating the ownership charge when the charge has completely paid for the cost of
10 the original infrastructure that caused the charge to be levied plus the allowed utility
11 rate of return on the investment in that plant;**

12 **H. For an order allowing customers to immediately terminate any existing contract for
13 street lighting with Northwestern Energy where an overcharge exists and to install and
14 own energy efficient LED street light luminaires and requiring Northwestern Energy to
15 provide electric service to the customer-owned lights on Northwestern poles and other
16 infrastructure if the customer so chooses; and directing that such fully-depreciated
17 poles and infrastructure shall become part of Northwestern's distribution network.**

18 **I. For an order causing an immediate write-down from respondent's ratebase of any
19 street lighting plant that has been fully paid for through an ownership charge, if the
20 plant has not already been taken off Northwestern's ratebase for ratemaking purposes;**

21 **J. To the extent that current Montana law and proceedings in the Montana Power
22 bankruptcy allow it, pursuant to MCA § 69-3-305, for a refund of up to \$7,278,976 in
23 past ownership overcharges in Billings and similar cumulative overcharges elsewhere in**

1 **Montana, and for an order abrogating any adherence to the archaic “water over the**
2 **dam” principal in this PSC jurisdiction and directing that the cumulative overcharges**
3 **shall be recovered to the extent that is not precluded by the Montana Power**
4 **bankruptcy;**

5 **K. For an immediate order preventing Northwestern Energy from destroying, moving or**
6 **otherwise rendering inoperative existing light poles, lighting pole arms, pole bases,**
7 **wiring, meters or other equipment needed to distribute electricity to customer-owned**
8 **luminaires or other equipment being served under the ELDS-1 tariff;**

9 **L. For an order directing Northwestern Energy to develop a tariff to provide energy to**
10 **lights previously served pursuant to Northwestern Energy’s Schedule No. ELDS-1,**
11 **Electric Lighting Delivery Service Tariff where the customer owns its own lights; and in**
12 **addition to other appropriate charges or ways of billing, to include in that tariff an**
13 **energy charge rate for LED lights based on the wattage of the lights and the hours of**
14 **full usage and dimmed usage the lights are set for; and to include in that tariff a**
15 **modification of its billing charge to reflect actual costs. (It does not cost Northwestern**
16 **\$269.33 a month to computer-generate a bill for unmetered lights in Billings SILMD #**
17 **13—the current billing overcharge).**

18 **M. For a separate proceeding (not combined with another docket) and for hearings to**
19 **determine the truth of the matters alleged.**

20 **N. For permission to appear at various parts of this proceeding via phone or video**
21 **conference to conserve energy and the resources of the parties.**

1 **O. For an order directing Northwestern to drop all clauses in its street lighting contracts**
2 **preventing action of third party beneficiaries of those contracts from obtaining redress**
3 **of grievances for contract violation.**

4 **P. For an order directing Northwestern to include a notification to all property owners in**
5 **a proposed lighting districts stating when any ownership charges will cease and clearly**
6 **stating that the ownership charge will drop out of the rate once the original cost of the**
7 **infrastructure plus the allowed rate of return on that original cost has been defrayed.**

8 **JURISDICTIONAL STATEMENT IN SUPPORT OF PETITION**

9 1) This petition is submitted pursuant to MCA § 69-3-321, which reads:

10 **69-3-321. Complaints against public utility -- hearing.** (1) The commission shall
11 proceed, with or without notice, to make such investigation as it may deem necessary
12 upon a complaint made against any public utility by any mercantile, agricultural, or
13 manufacturing society or club; by any body politic or municipal organization or
14 association, the same being interested; or by any person, firm, or corporation, provided
15 such person, firm, or corporation is directly affected thereby, that:

16 (a) any of the rates, tolls, charges, or schedules or any joint rate or rates are in any
17 way unreasonable or unjustly discriminatory;

18 (b) any regulations, measurements, practices, or acts whatsoever affecting or relating
19 to the production, transmission, delivery, or furnishing of heat, light, water,
20 power, or regulated telecommunications service, or any service in connection
21 therewith is in any respect unreasonable, insufficient, or unjustly discriminatory;
22 or

23 (c) any service is inadequate. [Emphasis added.]

24 2) And pursuant to Montana Statutes § 69-3-301, which provides:

25 **69-3-301. Schedule of rates, tolls, and charges.** (1) Every public utility shall file
26 with the commission, within a time fixed by the commission, schedules which shall be
27 open to public inspection, showing all rates, tolls, and charges which it has established
28 and which are in force at the time for any service performed by it within the state or for
29 any service in connection therewith or performed by any public utility controlled or
30 operated by it. Every public utility shall file with and as a part of such schedule all rules
31 that in any manner affect the rates charged or to be charged for any service. When a
32 schedule of joint rates or charges is or may be in force between two or more public
33 utilities, such schedule shall in like manner be printed and filed with the commission.

34 (2) A copy of so much of the schedule as the commission considers necessary for
35 the use of the public shall be printed in plain type and kept on file in every station or

1 office of the public utility where payments are made by the consumers or users. Such
2 copy shall be open to the public and in such form and place as to be readily accessible to
3 the public and conveniently inspected.

4 3) And pursuant to Montana Statutes § 69-3-304, which provides:

5 **69-3-304. Temporary approval of rate increases or decreases.** The commission may,
6 in its discretion, temporarily approve increases or decreases pending a hearing or final
7 decision. If the final decision is to disapprove an increase, the commission may order a
8 rebate to all consumers for the amount collected retroactive to the date of the temporary
9 approval. If the final decision is to disapprove a decrease, the commission may order a
10 surcharge to be paid by all consumers for the amount not collected retroactive to the date
11 of the temporary approval. The commission shall order interest to be paid on a rebate or
12 surcharge as determined by the commission. An order of the commission approving or
13 denying a temporary rate increase or decrease shall be based upon consistent standards
14 appropriate for the nature of the case pending and shall be an intermediate agency action
15 subject to judicial review under the Montana Administrative Procedure Act.

16 4) And pursuant to ARM § 385.8218, which provides:

17 **38.5.8218 DEMAND-SIDE RESOURCES**

18 (1) Energy efficiency and conservation measures can effectively contribute to serving
19 total electricity load requirements at the lowest long-term total cost. A utility should
20 develop a comprehensive inventory of all potentially cost-effective demand-side
21 resources available in its service area and optimize the acquisition of demand-side
22 resources over its planning horizon.

23 (2) A utility should evaluate the cost-effectiveness of demand-side resources and
24 programs based on its long-term avoidable costs. Cost-effectiveness evaluations of
25 demand-side resources should encompass avoidable electricity supply, transmission, and
26 distribution costs.

27 (3) A nonparticipant (no-losers) test considers utility-sponsored demand-side
28 management programs cost effective only if rates to customers that do not participate in
29 the program are not affected by the program. A utility should not evaluate the cost-
30 effectiveness of demand-side resources using a nonparticipant test.

31 (4) A utility should develop and strive to achieve targets for steady, sustainable
32 investments in cost-effective, long-term demand-side resources. A utility's investment in
33 demand-side resources should be coordinated with and complement its universal system
34 benefits activities.

35 (5) Except when the entire resource would otherwise be lost, a utility's demand-side
36 management programs should not be focused on "cream skimming;" the least expensive
37 and most readily obtainable resource potential should be acquired in conjunction with
38 other measures that are cost-effective only if acquired in a package with the least
39 expensive, most readily available resources.

40 (6) Prudently incurred costs related to procuring demand-side resources are fully
41 recoverable in rates. The commission will evaluate the prudence with which demand-side

1 resources are procured, including resources acquired through programs, subcontractors,
2 and competitive solicitations consistent with evaluations of supply-side resources.

3 (7) A utility's development of demand-side resources should include an examination
4 of innovative methods to address cost recovery issues related to demand -side resource
5 investments and expenses, including undesirable effects on revenues related to the
6 provision of transmission and distribution services.
7

8 **INFORMATION REQUIRED BY ARM § 38.2.1202(1)(b)**

9 **PETITIONERS' ADDRESSES**

10 **INFORMATION REQUIRED BY ARM § 1.3.308(1)(A)(I):**

- 11
- 12 5) Petitioners Rev. Dr. Vern Klingman and Patricia Klingman live at 1020 14th St. West,
13 Billings, MT 59102.
- 14 6) The Klingmans bring this petition as individual customers of Northwestern Energy and
15 taxpayers in the City of Billings who are affected by local government taxes they pay
16 levied on street lighting districts where the Yellowstone County and the City of Billings
17 defray some of the costs of lighting districts where the street lights are owned by
18 Respondent.
- 19 7) Petitioner, Dr. Paul Williamson, lives at 509 Westview Drive, Missoula, MT 59803.
- 20 8) While Dr. Williamson is the former Dean of Technology at the University of Montana and
21 is currently serving the Director of Alternative Energy Research there, he does not bring
22 this petition in his official capacity. Rather, he brings this petition as an individual
23 customer of Northwestern Energy and a person affected by local government taxes levied
24 on street lighting districts in the city and county where he lives and works.
- 25 9) Petitioner Russell L. Doty lives at 3878 N. Tanager Lane, Billings, MT 59102-5916.
- 26 10) Mr. Doty brings this petition as a taxpayer of the City of Billings who is affected by local
27 government taxes he pays levied on street lighting districts where Yellowstone County and

1 the City of Billings defray some of the costs of lighting districts where the street lights are
2 owned by Respondent.

3 11) Addresses of other interested persons in the class on whose behalf this action is being
4 brought are too numerous to list. They include:

- 5 a) all street lighting districts within service areas of Northwestern Energy, which
6 is under the jurisdiction of the PSC,
- 7 b) all customers of those lighting districts,
- 8 c) all taxpayers who support those lighting districts,
- 9 d) all users of area lighting within the service area of Northwestern Energy,
10 which is under the jurisdiction of the PSC,
- 11 e) the Montana Consumer Council,
- 12 f) various consumer, environmental, business and industry groups, and news
13 media in Northwestern Energy's service area, and
- 14 g) manufacturers of LED and other street lighting technologies.

15 12) In lieu of serving all the above interested persons, it is requested that the Commission give
16 notice pursuant to ARM § [38.2.1801](#), to all of the above interested parties as members of
17 the public and rule that it is otherwise sufficient notice that the documents in this
18 proceeding be posted on the PSC website.

19 **INFORMATION REQUIRED BY ARM § 38.2.1202(1)(c)**

20 **STATEMENT OF FACTS PETITIONERS ARE PREPARED TO PROVE IF THEY ARE**
21 **NOT ADMITTED BY RESPONDENT IN ITS RESPONSE TO THIS PETITION**

22

1 **COUNT 1:**
2 **OWNERSHIP CHARGE UNREASONABLE AND UNJUSTLY DISCRIMINATORY**

3 **(Northwestern Energy)**

4 13) Northwestern Energy is an electric and gas utility serving customers in various parts of
5 Montana (herein called Northwestern's service area).

6 14) Northwestern Energy's retail rates and service to street lighting, residential, and small and
7 large commercial customers are regulated by the Montana Public Service Commission
8 (MT-PSC).

9 15) Pursuant to Montana law Green Electricity Buying Cooperatives are not permitted to
10 compete in Northwestern Energy's service area.

11 16) Pursuant to Montana law, Rural Electric Cooperatives are limited to competing only for
12 large customers in Northwestern Energy's service area.

13 17) Pursuant to Montana law, no entity is allowed to compete with Northwestern Energy in
14 providing street lighting service within its territory.

15 18) As such Northwestern Energy is a governmentally-granted, albeit regulated monopoly.

16 **(Northwestern Energy's Street Light Charges)**

17 19) If a Northwestern Energy customer does not own its own street or area light, and if
18 Northwestern Energy provides a street or area light for its customers, Northwestern levies
19 an ownership charge on each street and area lights that Northwestern provides.

20 20) In addition to levying an ownership charge, Northwestern also charges for the energy used,
21 for transmission and distribution of that energy, and charges to cover billing, operation,
22 maintenance, USBC and CTC-QF expenses.

23 21) The charges in the preceding two paragraphs are regulated by the MT-PSC.

- 1 22) The MT-PSC has approved Northwestern Energy’s Schedule No. ELDS-1, Electric
2 Lighting Delivery Service Tariff and has approved its predecessor rate schedules.
- 3 23) Northwestern Energy’s Schedule No. ELDS-1, Electric Lighting Delivery Service Tariff,
4 applies to street lighting services, energy and transmission and distribution of the energy
5 Northwestern Energy provides to the City of Billings and other cities in Montana.
- 6 24) When Northwestern provides a customer with a street light, it determines the average total
7 per unit cost of that street light (or those street lights), including but not limited to the base,
8 pole, mast-arm, luminaire and wiring (herein called the street lighting infrastructure). That
9 infrastructure cost does not include energy, transmission, distribution, USBC, billing, CTC-
10 QF costs.
- 11 25) Once it has determined the total cost of a street light, to determine the Ownership charge,
12 Northwestern looks to see what cost range that installation falls in on Schedule No. ELDS-
13 1 and places the unit (or units) in the proper “Cost Range.”
- 14 26) Once the unit to be provided to Northwestern’s customer has been placed in the proper
15 “Cost Range,” and the street light is operational, Northwestern begins to charge the
16 customer a monthly unit rate ownership charge associated with the “cost range” specified
17 in Schedule No. ELDS-1.
- 18 27) At some point in time, the ownership charge that Northwestern levies will completely
19 cover the total costs of providing the street lighting infrastructure and repay Northwestern
20 Energy for its investment.
- 21 28) The points in time when Northwestern Energy’s ownership charges completely pay for
22 street lighting infrastructure placed in each cost range on Schedule No. ELDS-1 plus 8%
23 interest on the investment in the street lighting infrastructure are indicated in Table 1:

1
2

Table 1:

Col	1 & 2	3	4	5	6	
Row	Project Range	Cost	Monthly Ownership Charge Unit Rate	Bottom of Range Cost-- Years to payback at 8% interest	Top of Range Cost-- Years to payback at 8% interest	# of Billings lighting districts in this range
A	200	399	2.7	8.50	52.75	13
B	400	599	5.77	7.75	14.75	7
C	600	799	8.97	7.33	11.25	1
D	800	999	10.77	8.50	12.00	9
E	1000	1199	12.95	9.00	12.00	5
F	1200	1399	15.72	8.92	11.25	44
G	1400	1599	19.17	8.33	10.17	46
H	1600	1799	21.58	8.50	10.17	8
I	1800	1999	24.32	8.50	9.92	2
J	2000	2199	26.04	8.92	10.33	3
K	2200	2399	28.33	9.08	10.42	0
L	2400	2599	30.99	9.08	10.25	1
M	2600	2799	33.47	9.08	10.17	1
N	2800	2999	35.97	9.17	10.17	0

3

4 29) If the monthly ownership charge levied by Northwestern is between \$19.17 and \$35.97 a
5 month (Table 1, Column 3, rows G through N), the infrastructure supporting existing street
6 lights would be paid for in fewer than 11 years (Table 1, Col. 5, rows G through N))
7 (assuming respondent was allowed an 8% return on its investment in existing High
8 Pressure Sodium lights).

9 30) If the monthly ownership charge levied by Northwestern is \$8.97 or \$15.72 a month,
10 (Table 1, Column 3, rows C & F), the infrastructure supporting existing street lights would
11 be paid for in fewer than 12 years (Table 1, Col. 5, rows C & F) (assuming respondent was
12 allowed an 8% return on its investment in existing High Pressure Sodium lights).

- 1 31) If the monthly ownership charge levied by Respondent is \$10.77 or \$12.95 a month (Table
2 1, Column 3, rows D & E), the infrastructure supporting existing street lights would be paid
3 for in fewer than 13 years (Table 1, Col. 5, rows D & E) (assuming respondent was allowed
4 an 8% return on its investment in existing High Pressure Sodium lights).
- 5 32) If the monthly ownership charge levied by Respondent is \$5.77 a month (Table 1, Column
6 3, row B), the infrastructure supporting existing street lights would be paid for in fewer
7 than 15 years (Table 1, Col. 5, row B) (assuming respondent was allowed an 8% return on
8 its investment in existing High Pressure Sodium lights).
- 9 33) An overcharge exists in any lighting district where the monthly ownership charge of:
10 a) between \$19.17 and \$35.97 a month has been levied for more than 11 years;
11 b) \$8.97 or \$15.72 a month has been levied for more than 12 years;
12 c) \$10.77 or \$12.95 a month has been levied for more than 13 years; or
13 d) \$5.77 a month has been levied for more than 15 years.
- 14 34) It is unreasonable and unjustly discriminatory to continue collecting the monthly ownership
15 charge in any lighting district where the monthly ownership charge of:
16 a) between \$19.17 and \$35.97 a month has been levied for more than 11 years;
17 b) \$8.97 or \$15.72 a month has been levied for more than 12 years;
18 c) \$10.77 or \$12.95 a month has been levied for more than 13 years; or
19 d) \$5.77 a month has been levied for more than 15 years.

20

TABLE 2

A	B	C	D	E	F	G	H	I	J	K
SILMD	Location / Description	Years of ownership overcharge	Verified Monthly Overcharge for all Units of this Type in Lighting District	Verified Cumulative Overcharge for All Units of this Type in Lighting District	Minimum # of Years to payoff of Replacement LEDs	Annual Cost of Lights Now	Annual Utility Cost After LEDs Are Paid For	% Savings After LEDs Are Paid For	# of Lights	Ward #
97	Downtown Area	9.7	\$7,294.04	\$ 846,109	7.1	\$147,797	\$ 32,365	78.1%	338	1
117	Yegan Addition Subd	11.4	\$2,067.84	\$ 283,294	3.5	\$ 33,023	\$ 5,372	83.7%	192	1
118	South 27th/State-9 th	9.4	\$109.63	\$ 12,388	7.9	\$ 2,360	\$ 648	72.6%	19	1
159	Broadwater	13.8	\$410.02	\$ 67,653	7.1	\$ 8,308	\$ 1,819	78.1%	19	3
159	Broadwater	13.8	\$153.36	\$ 25,304	4.5	\$ 2,598	\$ 432	83.4%	8	3
206	Dixon Street	19.4	\$220.08	\$ 51,279	3.7	\$ 3,411	\$ 477	86.0%	14	2
207	Castle Rock Subd	19.3	\$251.52	\$ 58,353	3.7	\$ 3,898	\$ 545	86.0%	16	2
209	Kings Green Subd	18.8	\$361.56	\$ 81,713	3.7	\$ 5,603	\$ 784	86.0%	23	1
214	Normal and North	19.8	\$280.54	\$ 66,488	4.0	\$ 4,850	\$ 827	82.9%	13	4
216	Park Side Subd	17.6	\$94.32	\$ 19,902	3.7	\$ 1,462	\$ 205	86.0%	6	1
224	Montana /	15.2	\$712.25	\$ 129,630	10.1	\$ 18,354	\$ 5,267	71.3%	55	1
228	Parkland West Subd	15.3	\$555.93	\$ 102,291	3.1	\$ 8,266	\$ 989	88.0%	29	5
229	Woodland Hills Subd	15.1	\$287.55	\$ 52,047	3.1	\$ 4,275	\$ 511	88.0%	15	5
230	Aspen Grove Subd	14.8	\$670.95	\$ 118,758	3.1	\$ 9,976	\$ 1,193	88.0%	35	5
231	Oaks Subdivision	14.8	\$402.57	\$ 71,255	3.1	\$ 5,986	\$ 716	88.0%	21	4
232	Centennial Subd	4.3	\$1,744.47	\$ 90,712	3.1	\$ 25,937	\$ 3,102	88.0%	91	2
237	Tepee Trail &	12.5	\$267.24	\$ 40,086	3.7	\$ 4,142	\$ 580	86.0%	17	2
239	Beverly Hills	12.4	\$62.88	\$ 9,369	3.7	\$ 975	\$ 136	86.0%	4	4
241	4th North /	13.3	\$366.86	\$ 58,698	4.0	\$ 6,342	\$ 1,082	82.9%	17	1
245	North Pointe Sq Subd	12.3	\$43.16	\$ 6,345	7.1	\$ 874	\$ 191	78.1%	2	2
246	Parkland West Subd	12.3	\$230.04	\$ 33,816	3.1	\$ 3,420	\$ 409	88.0%	12	5
247	Grand Avenue	11.2	\$561.08	\$ 75,185	7.1	\$ 11,369	\$ 2,490	78.1%	26	1
248	North 27th /	11.5	\$1,230.06	\$ 169,748	7.1	\$ 24,924	\$ 5,458	78.1%	57	
249	Descro Subdivision	11.2	\$1,897.83	\$ 254,309	3.1	\$ 28,218	\$ 3,375	88.0%	99	5
258	Central Acres	4.2	\$1,686.96	\$ 84,348	3.1	\$ 25,082	\$ 3,000	88.0%	88	5
261	Straw Subdivision	3.9	\$345.06	\$ 16,218	3.1	\$ 5,130	\$ 614	88.0%	18	1
Totals			\$ 22,308	\$2,825,296		\$396,580	\$ 72,587	81.7%	1,234	

1 **(Billings, Montana Lighting District Verified Overcharges)**

2 35) The 25 Billings street light districts where there is enough data to verify an overcharge are
3 depicted in Table 2, above.

4 36) In Billings, Montana lighting districts where the street lights are not owned by the city or
5 private developers, verified cumulative overcharges in 25 lighting districts where street
6 lights are owned by Northwestern Energy has been \$2,825,296 as of 12/15/09 (Table 2,
7 Column E, last row, bolded text).

8 37) An example of what is happening is found in the group of lights in Billings Street
9 Improvement Lighting Maintenance District (SILMD) 261. In that district, by 01/14/2006,
10 the ownership charge had already paid for the cost of the facility with 8% interest. 8 (Table
11 2, Column C)

12 38) In SILMD 261, the overcharge accumulated over the last 3.9 years amounts to \$16,218
13 (Table 2, Column E).

14 39) In SILMD 261, the annual overcharge of \$4,141 ($\345.06×12) could be applied to
15 purchasing more energy efficient LED lighting. (Table 2, Column D)

16 40) If the 18, 100 Watt High Pressure Sodium Lights in SILMD 261 were replaced with energy
17 efficient LEDs:

18 a) they would be paid for in 3.1 years. (Table 2, Column F).

19 b) there would still be nearly two years left on the overall warranty of the LEDs, and

20 c) after the 3.1 – year payback period, the annual lighting costs for the 18 street lights in
21 the district would drop from \$5130 to approximately \$614/year—an 88% reduction in
22 costs. (Table 2, Columns G through J)

- 1 41) For the 25 SILMDs listed on Table 2, the amount Billings taxpayers would pay for street
2 lighting after the overcharge pays for 1,234 new energy efficient LEDs and the ownership
3 overcharge is eliminated would drop 81.7% from the \$396,580 now being paid to \$72,587.
4 (Table 2, Columns G through J, last (totals) row)
- 5 42) The verified monthly overcharge in Billings is **\$22,308**. (Table 2, Column D, last row,
6 green highlighted text).
- 7 43) The monthly **overcharge** is \$ 39,490 bigger when estimated overcharges are added. (Table
8 3, Column D, third to last row, green highlighted text)
- 9 44) **The total combined monthly verified and estimated overcharge is approximately**
10 **\$61,798. (Table 3, last row, Col. 4)**
- 11 45) Thus every month that the PSC allows this verified overcharge to continue, Billings
12 taxpayers are required to pay between \$22,308 and \$61,798 that could go to help with the
13 city budget, be given out in tax relief, or which could pay for new energy efficient LED
14 lighting **without an increased cost to Northwestern's customers.**
- 15 46) It is more likely than not that what is occurring with the ownership overcharge in Billings
16 is happening in other Montana cities and counties served by Northwestern Energy and that
17 their city budgets or taxpayers would also benefit from the granting of this petition.

18 **(Contracts Do Not Preclude PSC Regulation.)**

- 19 47) Billings has contracts with Respondent for Street Lighting service to many SILMDs.
- 20 48) It is time honored public utility law that a utility or other entity may not avoid reasonable
21 regulation by contract.
- 22 49) Time honored law, all of the contracts for street lighting between Billings and Respondent
23 make the charges under each contract subject to PCS approved street lighting tariffs.

1 50) None of the contracts that Northwestern Energy has with the City of Billings for the
2 lighting districts mentioned in Tables 2 & 3 contains the words “lease,” “rent,” lessor,”
3 “lessee,” “landlord,” or “tenant,” or plurals of those words

4 **(Replacing Existing HPS Street Lights With LEDs)**

5 51) If Respondent replaced existing high pressure sodium lights with equivalent LED lights in
6 the Billings street light districts shown in Table 2, depending on the LED luminaire used
7 for replacement, the new LEDs could be paid for in 3.1 (Table 2, light pink shading) to
8 10.1 (Table 2, light blue shading) years.

9 52) The LED replacements could be paid for by applying what is currently being assessed as
10 the verified ownership (over) charge listed in Table 2 Column E and also applying savings
11 in reduced energy charges.

12 53) The number of years to pay off the cost of replacement LEDs does not include savings
13 accruing from reduced maintenance charges that can be expected with the installation of
14 LED lighting.

15 54) Inclusion of that maintenance charge number when available will reduce the length of the
16 payback period shown in Tables 2 & 3, Column F.

17 55) Maintenance savings from installing LED lighting will likely accrue to the city within its
18 reduced maintenance and workers’ compensation budgets rather than within its budget for
19 utility services.

20 56) In 19 of the 25 SILMDs shown in Table 2, (Column F) where the verified overcharge is
21 taking place, the new LEDs would be paid for within 4 ½ years or less.

22 57) **Long Term Fiscal Responsibility:** Costs of LED street lighting have now dropped to a
23 level where we will waste more money and energy in the long run by waiting for future

- 1 improvements and price cuts in LED luminaires than to move forward with LED street
2 lighting projects.
- 3 58) Many cities are well on their way to transitioning to LED street lighting.
- 4 59) For example, Ouray, Colorado and Greenberg, Kansas have become all-LED cities.
- 5 60) Los Angeles has embarked on a program to replace 140,000 of its street lights with LEDs
6 within 5 years.
- 7 61) And Anchorage, Alaska is completing replacement 16,000 of its street lights with LEDs.
- 8 62) Once the LEDs have been paid for (the period noted in Tables 2 & 3, Column F for each
9 SILMD respectively), the lighting bills for a district will decrease by the percentage shown
10 in Column I for that district and the yearly bills for street lighting in that district will
11 decrease from the amount shown in Column G to that shown in Column H for that district.
- 12 63) Once LEDs are installed and paid for and the ownership- overcharge eliminated the
13 combined total reduction in annual energy bills for the districts shown on Tables 2 & 3 will
14 be in excess of 82.6%; that is the combined total street lighting bill for taxpayers in Billings
15 will go from \$1,032,821 to approximately \$179,547. (Table 3, Columns G through I, last
16 row)
- 17 64) **Energy Independence:** Adoption of new energy saving infrastructure technologies, such
18 as LEDs, can play an important role in helping the United States and the State of Montana
19 to achieve their goals to become more energy independent and to generate less CO2.
- 20 65) The prospect of cutting nighttime lighting energy by 15-70% would make it possible to
21 decrease energy demand, bring new electrically powered technologies to the forefront,
22 create an environment for new businesses and jobs, and underwrite the development of
23 alternative energy vehicles.

1 66) For example, the freed up generating capacity coming from installation of LED street lights
2 could be used to charge batteries at night for the coming increased use of electric and
3 hybrid electric cars. That will lessen our dependence on foreign and domestic oil producers.

4 **(Billings, Montana Lighting District Estimated (In Addition to Verified) Overcharges)**

5 67) In Billings, Montana 76 lighting districts where the street lights are not owned by the city
6 or private developers, in addition to the verified overcharges, estimated cumulative
7 overcharges in lighting districts where street lights are owned by Respondent has been
8 \$4,453,680. (See Table 3, Col. E, third to last row)

9 68) Billings taxpayers are being charged an excessive, unreasonable, and unjustly
10 discriminatory ownership overcharge for 3,644 of the 4,330 street lights that Northwestern
11 Energy owns in the city — 84% of the lights Northwestern owns. (See Tables 2 & 3, Total
12 in Column J, last row)

13 69) It is more likely than not that what is occurring with the ownership overcharge in Billings
14 is happening in other Montana cities and counties served by Northwestern Energy and that
15 a significant proportion of their street lights are also experiencing excessive, unreasonable,
16 and unjustly discriminatory ownership overcharge.

17 70) If that overcharge plus energy savings were applied to purchasing new LED street lights,
18 2858 (approximately 66%) of those lights now owned by Northwestern Energy would be
19 paid for within the 5 year overall warranty on the lights. Another 660 LEDs (15% of those
20 owned by NWE) would be paid for within the 10 year warranty on the light housing.

21 71) The payback periods for these new LED lights are well within the rated 20+ year life of the
22 best US made, LED luminaires currently on the market.

- 1 72) At the end of the payback periods in districts where verified and estimated overcharges
2 exist, the overcharge would be eliminated and taxpayers in the city would be saving
3 approximately \$61,798 a month. **(Table 3, last row, Col. 4)**
- 4 73) With this savings alone, Billings could elect to add or keep staff persons after the LEDs are
5 paid for and the overcharge is eliminated, or it could elect to cut the energy bill
6 approximately in half for other city-owned lighting districts by investing in LEDs there.
7 **(Northwestern Should Repay Cumulative Overcharge As A Matter of Law & Equity.)**
- 8 74) **In Billings**, Montana lighting districts where the street lights are not owned by the city or
9 private developers, **verified and estimated cumulative overcharges** in lighting districts
10 where street lights are owned by Northwestern Energy has been **\$7,278,976** as of 12/15/09
11 (Table 3, Column E, last row bolded text).
- 12 75) These overcharges have undoubtedly been replicated in cities, towns, and counties in
13 Northwestern's Montana service areas bringing the total cumulative overcharges within
14 Northwestern's Montana service area to more than \$21 million.
- 15 76) The verified cumulative overcharges in Billings, Montana have gone on for 3.9 (in SILMD
16 # 261) to 19.8 years (in SILMD # 214) (Yellow shaded cells, Table 2, Column C). Any
17 retroactive debt brought on by that overcharge that has been discharged in the Montana
18 Power bankruptcy should be subtracted from the amount of overcharge that is recoverable
19 by consumers.
- 20 77) The principles of equity prevent a regulated utility that is allowed to retroactively collect
21 additional monies from consumers when it has underbilled to be allowed refrain from
22 disgorging excess profits when it has over collected. Northwestern Energy's CEO is Bob
23 Rowe.

1 78) Prior to becoming CEO and Board Member of Northwestern Energy, Mr. Rowe was a
2 member of and chaired the Montana Public Service Commission during a time when
3 overcharges in many of the street lighting districts were not discovered and therefore were
4 allowed to continue. With his vast experience, he certainly should understand the justice
5 and equity involved in requiring a utility that has over-earned to be required to disgorge
6 excess profits.

7 79) For the reasons expressed in the previous six paragraphs, petitioners contend that
8 Northwestern Energy should repay the \$7,278,976 in verified and estimated overcharges to
9 the City of Billings to be credited to the taxpayers of the respective lighting districts
10 involved and that the repayment should come from revenues allocated to stockholders for
11 return on investment.

12 **(Temporary Suspension of Overcharges Until New LEDs Installed In Lighting Districts.)**

13 80) Petitioner's attorney has been seeking information on street lighting billing practices from
14 Respondent for quite some time.

15 81) Northwestern has placed several roadblocks in petitioner's way that have caused delays in
16 the production of that information.

17 82) Each month that Northwestern stalls in providing requested data is an additional month that
18 its overcharges continue.

19 83) As discussed above, each month that Northwestern stalls in providing requested data means
20 it costs Billings's taxpayers \$61,798 in unreasonable and unjustly discriminatory
21 overcharges.

1 84) Each month that Northwestern stalls in providing requested data in discovery tendered as a
2 result of this proceeding will cost taxpayers in Northwestern's Montana service area
3 outside of Billings more than \$180,000/month.

4 85) **Therefore to eliminate that monthly overcharge, the Commission is requested to use**
5 **its power pursuant to MCA § 69-3-304 (reproduced above), and subject to**
6 **reinstatement when the provisions of paragraph B have been implemented for a**
7 **district or installation, for temporary elimination of the ownership charge as**
8 **requested in paragraph F.**

9 **INFORMATION PERMITTED BY ARM § 38.2.1202(1)(d)**

10 86) The petitioners believe that we live in an interdependent world. We owe it to ourselves and
11 future generations to be good stewards of the planet.

12 87) At the same time, we shoulder the responsibility to be good state leaders that manage finite
13 resources in ways that lead to a more sustainable world.

14 88) **How the petitioners will be personally affected by the requested ruling:** Petitioners are
15 deeply concerned about long term fiscal responsibility, energy independence, the
16 environmental health of our planet, and our collective reluctance preventing us from
17 achieving those goals.

18 89) This petition addresses all of those concerns not only for petitioners but all Northwestern
19 Energy's Montana electric consumers and taxpayers in lighting districts served by
20 Northwestern Energy.

21 90) **Environmental Health:** The evidence continues to mount indicating that burning of fossil
22 fuels is impacting our environment, health, water quality, air, and agricultural production.

23 91) While the effects of this impact are not totally known or understood, we do know much.

- 1 92) For example, we know the legacy that we are passing on to future generations continues to
2 degrade. That legacy includes data supporting:
- 3 a) 3-foot sea level rise within the next millennium or shortly thereafter, which according
4 to World Bank maps will displace more than 100 million people and devastate island
5 nations and coastal regions, or a later 20-foot sea level rise which will wipe out
6 southern Florida and other low lying areas;
 - 7 b) salt water invasion of fresh water drinking supplies as most glaciers continue to melt
8 and sea levels rise;
 - 9 c) increasingly hotter summer temperatures that are among the forces desertifying wide
10 areas of the globe now (including 1/5 of China's land mass) which will eventually
11 displace large numbers of people equal to the size of the combined population of
12 Germany and France;
 - 13 d) the complete elimination of late summer water flow in many great rivers and streams
14 including those that have already demonstrated this in Glacier Park.
 - 15 e) possible additions to dryness in Montana which is already 20% dryer now than a
16 century ago;
 - 17 f) a 10% decline in wheat, corn and rice yields for every 1 degree Celsius rise in
18 temperature during growing periods that we add to the climate because of increased
19 fossil fuel burning;
 - 20 g) increased wildfires and forest fires brought on by parched vegetation;
 - 21 h) our need for water to drink, grow crops, and sustain recreational industries that will
22 be compromised if too much of our dwindling water resource is used to cool coal
23 electric generation plants or nuclear power plants;

- 1 i) the enlarged range of disease-bearing insects which (already kills an African child
2 every 30 seconds) will cause an additional 80 million cases of malaria a year;
- 3 j) destabilization of political systems exacerbated by warming as anticipated by US
4 defense agencies;
- 5 k) overwhelming stress on insurance and financial systems as climate “weirding”
6 produces freak storms and intensifies the strength of Katrina-like hurricanes and
7 winds worldwide;
- 8 l) continued bleaching of reefs like the Great Barrier Reef in Australia that is already
9 about 55% bleached out;
- 10 m) immense destruction of the earth’s biodiversity as man’s unremitting and sometimes
11 unnecessary use of fossil fuel makes survival for many species increasingly difficult;
- 12 n) more summer heat waves like the one in 2003 which killed 35,000 Western
13 Europeans because nighttime temperatures did not cool enough to give victims relief
14 from sweltering daytime heat.

15 CONCLUSION

16 Thus adoption of this petition would affect petitioners and others by helping to mitigate
17 global warming and financial stress, and by promoting energy independence and national
18 security. For all the foregoing reasons, we respectfully request the Commission to grant the
19 requests in paragraphs A through N of this petition.

20 Respectfully submitted,

21
22 February 10, 2010

23 _____
24 Russell L. Doty, Attorney at Law
25 Montana State Bar # 2472
26 3878 N. Tanager Ln
27 Billings, MT 59102-5916
Phone: 406-696-2842

TABLE 3

A	B	C	D	E	F	G	H	I	J	K
SILMD	Location / Description	Years of ownership overcharge	Estimated Monthly Overcharge	Estimated Cumulative Overcharge for All Units of this Type in Lighting District	Minimum # of Years to payoff of Replacement LEDs	Annual Cost of Lights Now	Annual Utility Cost After LEDs Are Paid For	% Savings After LEDs Are Paid For	# of Lights	Ward #
8	Various Locations	5.9	\$162	\$ 11,471	7.9	\$ 3,478	\$ 955	72.6%	28	
8	Various Locations	5.9	\$6	\$ 410	10.5	\$ 164	\$ 54	67.1%	1	
9	Various Locations	5.9	\$185	\$ 13,109	7.9	\$ 3,975	\$ 1,091	72.6%	32	
10	Various Locations	5.9	\$289	\$ 20,484	7.9	\$ 6,229	\$ 1,722	72.3%	50	
10	Various Locations	5.9	\$63	\$ 4,506	5.7	\$ 1,231	\$ 307	75.1%	11	
17	Various Locations	5.9	\$490	\$ 34,822	5.7	\$ 9,520	\$ 2,378	75.0%	85	4
17	Various Locations	9.9	\$153	\$ 18,250	4.5	\$ 2,598	\$ 432	83.4%	8	4
17	Various Locations	8.9	\$18	\$ 1,920	8.0	\$ 405	\$ 108	73.3%	2	4
99	1st South / 27th - 30 th	7.9	\$544	\$ 51,671	10.1	\$ 14,016	\$ 4,022	71.3%	42	1
107	Carlson/Evergreen Subd's	9.9	\$1,227	\$ 145,999	3.1	\$ 18,242	\$ 2,182	88.0%	64	5
109	Central Heights Subd	9.9	\$3,029	\$ 360,434	3.1	\$ 45,034	\$ 5,387	88.0%	158	3
114	Burg Subdivision	9.9	\$652	\$ 77,562	3.1	\$ 9,691	\$ 1,159	88.0%	34	3
115	Glock Subdivision	9.9	\$153	\$ 18,250	3.1	\$ 2,280	\$ 273	88.0%	8	5
116	Curtis & Van Bramer	9.9	\$403	\$ 47,906	3.1	\$ 5,986	\$ 716	88.0%	21	3
119	Bridger Square Subd	5.9	\$23	\$ 1,639	7.9	\$ 497	\$ 136	72.6%	4	4
121	College Subdivision	9.9	\$1,725	\$ 205,311	3.1	\$ 25,652	\$ 3,068	88.0%	90	4
122	North 25th/11th-12 th	8.9	\$126	\$ 13,456	3.7	\$ 1,949	\$ 273	86.0%	8	1
123	Westridge Subdivision	9.9	\$230	\$ 27,375	3.1	\$ 3,420	\$ 409	88.0%	12	5
124	Clark & Yellowstone	9.9	\$671	\$ 79,843	3.1	\$ 9,976	\$ 1,193	88.0%	35	5
125	Avenue E & F	9.9	\$268	\$ 31,937	3.1	\$ 3,990	\$ 477	88.0%	14	3
126	700 Block Ave C	9.9	\$134	\$ 15,969	3.1	\$ 1,995	\$ 239	88.0%	7	3
127	Country Club Heights	8.9	\$472	\$ 50,461	3.7	\$ 7,309	\$ 1,023	86.0%	30	4
128	Clark Ave /	8.9	\$330	\$ 35,323	3.7	\$ 5,116	\$ 716	86.0%	21	5
129	Suncrest and	9.9	\$230	\$ 27,375	3.1	\$ 3,420	\$ 409	88.0%	12	3
130	So. 36th / 5th – State	7.9	\$86	\$ 8,185	5.0	\$ 1,474	\$ 273	81.5%	8	1
131	2900 Block of Howard,	9.9	\$594	\$ 70,718	3.1	\$ 8,836	\$ 1,057	88.0%	31	5

133	Central Heights 5 th	7.9	\$140	\$ 13,301	5.0	\$ 2,395	\$ 443	81.5%	13	3
134	North Park	7.9	\$334	\$ 31,718	5.0	\$ 5,711	\$ 1,057	81.5%	31	1
135	Lillis Subdivision	8.9	\$346	\$ 37,005	3.7	\$ 5,360	\$ 750	86.0%	22	5
136	600 Block Ave D	9.9	\$307	\$ 36,500	3.1	\$ 4,560	\$ 545	88.0%	16	3
136	600 Block Ave D	7.9	\$11	\$ 1,023	5.0	\$ 184	\$ 34	81.5%	1	5
137	So. 27th / 2nd – State	7.9	\$172	\$ 16,370	5.0	\$ 2,948	\$ 545	81.5%	16	1
138	Alderson / 8th-11th W.	9.9	\$518	\$ 61,593	3.1	\$ 7,696	\$ 921	88.0%	27	3
139	1900 & 2000 Block	9.9	\$173	\$ 20,531	3.1	\$ 2,565	\$ 307	88.0%	9	5
143	Sweet Acres Subdivision	9.9	\$403	\$ 47,906	3.1	\$ 5,971	\$ 701	88.3%	21	5
144	Maplewood Subdivision	9.9	\$19	\$ 2,281	3.1	\$ 284	\$ 33	88.3%	1	4
145	Burlington /	8.9	\$314	\$ 33,641	3.7	\$ 4,873	\$ 682	86.0%	20	5
146	Saint Johns /	9.9	\$249	\$ 29,656	3.1	\$ 3,705	\$ 443	88.0%	13	5
147	EMC/Rimrock & Poly	9.9	\$268	\$ 31,937	4.5	\$ 4,547	\$ 756	83.4%	14	4
147	EMC/Rimrock & Poly	7.9	\$11	\$ 1,023	7.0	\$ 224	\$ 54	75.9%	1	4
149	1st Avenue South	7.9	\$151	\$ 14,324	7.0	\$ 3,134	\$ 755	75.9%	14	1
150	Lee Heights Subdivision	8.9	\$503	\$ 53,825	3.7	\$ 7,796	\$ 1,091	86.0%	32	4
151	Southwest Billings Subd	9.9	\$441	\$ 52,468	3.1	\$ 6,557	\$ 785	88.0%	23	1
152	Vaughn to Jans	9.9	\$2,971	\$ 353,591	3.1	\$ 44,179	\$ 5,285	88.0%	155	1
153	Forest Park Subdivision	8.9	\$362	\$ 38,687	3.7	\$ 5,603	\$ 784	86.0%	23	5
154	17th to Dehlia	8.9	\$817	\$ 87,466	3.7	\$ 12,669	\$ 1,773	86.0%	52	4
155	Saint Johns /	9.9	\$345	\$ 41,062	3.1	\$ 5,130	\$ 614	88.0%	18	5
157	Jackson Heights Subd	8.9	\$613	\$ 65,600	3.7	\$ 9,502	\$ 1,330	86.0%	39	4
158	Partington Park Subd	9.9	\$556	\$ 66,156	3.1	\$ 8,266	\$ 989	88.0%	29	5
160	Streeter Brothers Sub	9.9	\$498	\$ 59,312	3.1	\$ 7,411	\$ 886	88.0%	26	1
161	Yellowstone & Wyoming	8.9	\$707	\$ 75,692	3.7	\$ 10,963	\$ 1,534	86.0%	45	5
164	Mountainview Subd	8.9	\$252	\$ 26,913	3.7	\$ 3,898	\$ 545	86.0%	16	5
165	900 Blk Ave D, E, F	9.9	\$613	\$ 72,999	3.1	\$ 9,121	\$ 1,091	88.0%	32	3
167	Spring Valley Sub #1	8.9	\$157	\$ 16,820	3.7	\$ 2,436	\$ 341	86.0%	10	2
171	Forest Park Subdivision	8.9	\$377	\$ 40,369	3.7	\$ 5,847	\$ 818	86.0%	24	5
172	Windsor Imperial Sub	7.9	\$323	\$ 30,695	5.0	\$ 5,527	\$ 1,023	81.5%	30	2
173	Kimberly Heights #1	8.9	\$786	\$ 84,102	3.7	\$ 12,181	\$ 1,705	86.0%	50	2
174	Kimberly Heights #2	8.9	\$660	\$ 70,646	3.7	\$ 10,232	\$ 1,432	86.0%	42	2
175	Acheson Subdivision	8.9	\$220	\$ 23,549	3.7	\$ 3,411	\$ 477	86.0%	14	4

178	Gleewood Subdivision	8.9	\$173	\$ 18,502	3.7	\$ 2,680	\$ 375	86.0%	11	4
179	Silverwood Subdivision	8.9	\$346	\$ 37,005	3.7	\$ 5,360	\$ 750	86.0%	22	4
180	Spring Valley Subd #2	8.9	\$236	\$ 25,231	3.7	\$ 3,654	\$ 511	86.0%	15	2
181	Glock Subdivison	9.9	\$1,169	\$ 139,155	3.1	\$ 17,387	\$ 2,080	88.0%	61	5
182	Hilltop Subdivision	8.9	\$393	\$ 42,051	3.7	\$ 6,091	\$ 852	86.0%	25	2
183	Golden View Subd	8.9	\$786	\$ 84,102	3.7	\$ 12,182	\$ 1,705	86.0%	50	2
184	Kimberly Heights #3	8.9	\$252	\$ 26,913	3.7	\$ 3,898	\$ 545	86.0%	16	2
185	Pryor View Subdivision	8.9	\$94	\$ 10,092	3.7	\$ 1,462	\$ 205	86.0%	6	4
187	Pineview Subdivision	8.9	\$157	\$ 16,820	3.7	\$ 2,436	\$ 341	86.0%	10	4
188	Meadowood Subdivision	8.9	\$189	\$ 20,184	3.7	\$ 2,924	\$ 409	86.0%	12	4
189	Kimberley Heights #4	8.9	\$157	\$ 16,820	3.7	\$ 2,436	\$ 341	86.0%	10	2
190	Sun Village and	8.9	\$817	\$ 87,466	3.7	\$ 12,669	\$ 1,773	86.0%	52	5
191	Kimberley Heights #5	8.9	\$283	\$ 30,277	3.7	\$ 4,352	\$ 581	86.7%	18	2
192	Spring Valley Subd #3	8.9	\$204	\$ 21,867	3.7	\$ 3,167	\$ 443	86.0%	13	2
193	Toole Circle	8.9	\$503	\$ 53,825	3.7	\$ 7,796	\$ 1,091	86.0%	32	2
198	Luther Circle	8.9	\$79	\$ 8,410	3.7	\$ 1,218	\$ 170	86.0%	5	5
201	Stewart Court	8.9	\$330	\$ 35,323	3.7	\$ 5,116	\$ 716	86.0%	21	2
242	Tierra West Subdivision	9.9	\$58	\$ 6,844	3.1	\$ 855	\$ 102	88.0%	3	5
244	Clevenger Subdivision	9.9	\$77	\$ 9,125	3.1	\$ 1,140	\$ 136	88.0%	4	
251	Sahara Sands Subd	9.9	\$2,109	\$ 250,935	3.1	\$ 31,353	\$ 3,750	88.0%	110	2
251	Sahara Sands Subd	9.9	\$537	\$ 63,874	4.5	\$ 9,094	\$ 1,511	83.4%	28	2
252	Summerhill Subdivision	9.9	\$383	\$ 45,625	3.1	\$ 5,701	\$ 682	88.0%	20	2
253	Governors Boulevard	9.9	\$1,169	\$ 139,155	4.5	\$ 19,811	\$ 3,292	83.4%	61	2
262	1200 Calico Avenue	9.9	\$1,649	\$ 196,186	3.1	\$ 30,033	\$ 8,453	71.9%	86	2
262	1200 Calico Avenue	9.9	\$460	\$ 54,750	4.5	\$ 22,057	\$ 15,558	29.5%	24	2
Totals for Table 3			\$ 39,490	\$4,453,680		\$ 636,241	\$106,960	83.2%	2,410	
Totals from Table 2			\$ 22,308	\$2,825,296		\$ 396,580	\$ 72,587	81.6%	1,234	
Combined Totals			\$ 61,798	\$7,278,976		\$1,032,821	\$179,547	82.6%	3,644	