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

IN THE MATTER OF the Montana Public
Service Commission's Review of Rates to
Recover NorthWestern Energy's Electricity
Supply Costs

REGULATORY DIVISION
DOCKET NO. D2017.5.39

**WINDATA'S RESPONSES TO NWE-006 THROUGH NWE-011
DATA REQUESTS OF NORTHWESTERN ENERGY**

NWE-006

Regarding: Ownership
Witness: Martin Wilde

- a. Provide a copy of WINData's Articles of Organization filed with the Montana Secretary of State in 2007.
- b. Provide a copy of WINData, LLC's annual report submitted to the Montana Secretary of State in April 2017.

RESPONSE:

- a. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Without waiving the foregoing objection, the requested documents are publicly available and as provided by M. R. Civ. P. 26(b)(2)(C)(i) parties are not required to incur the cost and inconvenience of producing copies of public documents in discovery. Subject to and without waiving the foregoing objection, WINData is in the process of gathering the requested information and will provide it as available.

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- b. See Response to NWE 001(a). All documents are publicly available. Without waiving the objection, see the attached copy of WINData, LLC's annual report to the Montana Secretary of State submitted in 2017 identified as NWE-006b.

NWE-007

Regarding: Managing Member Interests
Witness: Martin Wilde

The "testimony" filed on November 28, 2017, states that WINData, LLC, is the managing member of Golden Flats, LLC, and WD Wind, LLC.

- a. Provide a copy of Golden Flats, LLC's Articles of Organization with the Montana Secretary of State in 2017.
- b. Provide a copy of WD Wind, LLC's Articles of Organization with the Montana Secretary of State in 2016.
- c. Provide a copy of WD Wind, LLC's annual report submitted to the Montana Secretary of State in April 2017.

RESPONSE:

- a. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Without waiving the foregoing objection, the requested documents are publicly available and as provided by M. R. Civ. P. 26(b)(2)(C)(i) parties are not required to incur the cost and inconvenience of producing copies of public documents in discovery. Without waiving the objection, see the attached copy of Golden Flats Wind, LLC's Articles of Organization identified as NWE-007a.
- b. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Without waiving the foregoing objection, the requested documents are publicly available and as provided by M. R. Civ. P. 26(b)(2)(C)(i) parties are not required to incur the cost and inconvenience of producing copies of public documents in discovery. Without waiving the objection, see the attached copy of WD Wind, LLC's Articles of Organization identified as NWE-007b.
- c. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Without waiving the foregoing objection, the requested documents are publicly available and as provided by M. R. Civ. P. 26(b)(2)(C)(i) parties are not required to incur the cost and inconvenience of producing copies of public documents in discovery. Subject to and without waiving the foregoing objection, please see the attached copy of WD Wind, LLC's annual report submitted to the Montana Secretary of State in April 2017 identified as NWE-007c.

NWE-008

Regarding: Managing Member Interests

Witness: Martin Wilde

- a. State whether WINData, LLC was ever a member of:
 1. Fairfield Wind, LLC
 11. Greenfield, Wind, LLC
 111. Crazy Mountain Wind, LLC

- b. Provide the articles of organization, and any amendments to those articles, for each company listed in part a.(i.) - (iii.) above, in which WINData, LLC was ever a member.

RESPONSE:

- a. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question and its subparts is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Subject to and without waiving the foregoing objection, please see the response to subsection b.

- b. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Subject to and without waiving the foregoing objection, please see the attached Articles of Organization for (1.) Fairfield Wind, LLC, identified as NWE-008b1, and (11.) Greenfield Wind, LLC, identified as NWE-008b11. Subject to and without waiving the foregoing objection, as to (111.) Crazy Mountain Wind, LLC, WINData is in the process of gathering the requested information and will provide it as available.

NWE-009

Regarding: Future Qualifying Facility
Development
Witness: Martin Wilde

On page 12 of the "testimony" filed on November 28, 2017, WINData, LLC, states that no Qualifying Facilities will be built at the avoided cost rate the Commission is currently using. Provide the Income Statements and Balance Sheets for the year ending December 2016 (or June 2017, if a fiscal year is used) for WINData, LLC, Golden Flats, LLC, and WD Wind, LLC.

RESPONSE:

Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). In addition and without waiving said objection, WINData affirmatively states that the economics of any project are not relevant to avoided cost to be determined in this docket by the Commission. The fact that the Commission's intent to kill renewable energy in Montana by setting an arbitrarily low rate that is completely unrelated to NWE's avoided cost will be successful does not open the door to a complete investigation into any given project's economic considerations.

NWE-010

Regarding: Estate of Martin Wilde
Witness: Martin Wilde

- a. Provide a copy of the last will and testament of Martin Wilde.
- b. Explain, and provide documentation in support of, the steps Mr. Wilde's estate has taken to appoint a representative.

RESPONSE:

- a. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Subject to and without waiving the foregoing objection, Martin Wilde died without a will.
- b. See response to subpart a. Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Subject to and without waiving the foregoing objection, Martin Wilde died without a will. Subject to and without waiving the foregoing objection, please see the attached *Letters* in Cause No. DP-17-017, Montana Ninth Judicial District Court, Teton County, identified as NWE-010b.

NWE-011

Regarding: Representative for WINData, LLC
Witness: Martin Wilde

Explain, and provide documentation in support of, the steps WINData, LLC, has taken to appoint a representative for WINData, LLC, in this docket.

RESPONSE:

Objection pursuant to M.R.Civ.Pro. 26(b)(1), adopted by the M.P.S.C. by A.R.M. 38.2.3301, this question is not relevant to any claim or defense asserted in this docket, and is further objectionable under M.R.Civ.Pro. 26(b)(2)(C). Subject to and without waiving the foregoing objection, please see the response to NWE 010 and the attached *Order for Formal Probate and Appointment of Co-Personal Representatives* in Cause No. DP-17-017, Montana Ninth Judicial District Court, Teton County, identified as NWE-011.

DATED this 8th day of January, 2018.

TRANEL LAW FIRM, P.C.

By: */s/ Monica J. Tranel*

Monica J. Tranel
Attorneys for WINData, LLC

CERTIFICATE OF SERVICE

I certify that on the 8th day of January, 2018, a true and accurate copy of the foregoing was electronically filed with the Montana Public Service Commission and duly served upon the parties listed below by depositing the same, postage prepaid, in the Unites States mail to:

Will Rosquist
Montana Public Service Commission
1701 Prospect Ave.
P.O. Box 202601
Helena, MT 59620-2601

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/s/ Monica J. Tranel