

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

IN THE MATTER OF THE JOINT APPLICATION FOR APPROVAL TO CHANGE AND ESTABLISH NATURAL GAS DELIVERY SERVICE RATES FOR ENERGY WEST MONTANA, INC. AND CUT BANK GAS COMPANY

UTILITY DIVISION
Docket No. D2017.9.80

**ENERGY WEST MONTANA’S AND CUT BANK GAS COMPANY’S
FIRST SET OF DATA REQUESTS TO THE
MONTANA CONSUMER COUNSEL
(EWM-CBGC-001)**

Energy West Montana, Inc. (“EWM”) and Cut Bank Gas Company (“CBGC”), by and through their undersigned counsel, Holland & Hart LLP, pursuant to applicable rules of procedure, submit the attached data request to the Montana Consumer Counsel (“MCC”). The following response date, definitions, and instructions apply to the attached data requests:

RESPONSE DATE, DEFINITIONS AND INSTRUCTIONS

Please respond to these Date Requests by March 12, 2018.

DEFINITIONS

1. “The Montana Consumer Counsel,” “MCC,” or “you” means the Montana Consumer Counsel and the employees, officers, directors, agents, consultants, attorneys and all persons acting under contractual arrangement with or acting or purporting to act on behalf of MCC.
2. “Document” and “documentation” should be interpreted as broadly as possible, including the original or any copy, regardless of origin or location, of any book, pamphlet, periodical publication, letter, scrapbook, diary, calendar, canceled check, photograph, form, memorandum, schedule, tax return, telegram, telex, report, record, order or notice of governmental action of any kind, study, minutes, logs, graph, index, tape, disc, internal operating manual, data sheet or data processing card, or any other written, recorded, transcribed, punched, taped, filmed, graphic or retrievable matter or data of any kind, however produced or reproduced, to which you have or have had access. This definition includes all documents which have been created and/or which reside in any type of electronic format.

Any document that is not exactly identical to another document for any reason (such as marginal notations or deletions) should be considered a separate document.

As to any document related to the matters addressed herein that is not currently in your possession but that you know or believe such a document exists, you are requested to identify and indicate to the best of your ability its present or last known location or custodian.

3. “Person or Entity” should be interpreted to denote, unless otherwise specified, any natural person, firm, corporation, association, group, individual or organization of any type whatsoever.
4. “PSC” or “Commission” means the Montana Public Service Commission.
5. Any request to “identify” or “provide” should be interpreted to mean:
 - a. With respect to a natural person, that person’s full name, title, job description, and business and home address. Where the identification pertains to a past period, as to each person identified who is still in your employ, or the employment of the group with which such person is identified in response to any requests, provided, in addition, that person’s title and job description as of the time of such past period. Where the person is no longer in your employ or the employment of the group with which such person is identified in response to any request, provide that person’s affiliate, position, home and business address, if known, or if not known, such person’s last known affiliation, position, home and business address, or portions thereof as may be known.
 - b. With respect to an entity other than a natural person, that entity’s name, business, type of entity, present status and present or last known address.
 - c. With respect to a document, that document’s title, date, author (and, if different, the signer), addresses, recipients, or other persons who assisted in the preparation, subject matter or general nature, and any amendments thereto, present location and custodian, whether or not such document is in the respondent’s possession, custody or control and whether or not the document is claimed to be privileged. The final version and each draft of each document should be identified and produced separately. Each original and each non-identical copy (bearing marks or notations not found on the original) of each final version and draft of each document should be identified and produced separately.
 - d. With respect to a physical facility, the location of the facility, the intended purpose of the facility, the actual use of such facility, the operating dates of the facility, the installation date of the facility, the date utilization of the facility terminated if applicable, and whether the facility is subject to the jurisdiction of the Public Service Commission of Montana, the Federal Energy Regulatory Commission, or any other regulatory body.

6. "Communication" should be interpreted to include, but not be limited to, all forms of communication, whether written, printed, oral, pictorial, electronic or otherwise and by any means or type whatsoever.
7. "Relating To" or "Related To" means pertaining to, presenting, discussing, commenting on, analyzing, or mentioning in any way.

GENERAL INSTRUCTIONS

1. Where a request can be answered in whole or in part by reference to the response to a preceding or subsequent request, it is sufficient to so indicate by specifying the response to the preceding or subsequent request by number and specifying whether it is claimed that the response to the preceding or subsequent request is a full or partial response. If the latter, the response to the balance of the request shall be completed.
2. If various individuals are the authors of different responses to the Data Requests, please indicate the name of the author and his/her position within Applicants, or if he/she is an expert or a consultant, please provide a current curriculum vitae for each such expert of consultant.
3. As to any requests consisting of a number of separate subdivisions, or related parts or portions, a complete response is required to each part or portion with the same effect as if it were propounded as a separate request. Should objection to a request be interposed it should clearly indicate to which part or portion of the request it is directed.
4. For each document identified in a response which is computer generated, state separately (a) what types of data files or tapes are included in the input and the source thereof, (b) the form of the data which constitutes machine input (punch cards, tapes, etc.), (c) a description of the recordation system employed (including program descriptions, flow charts, etc.), and (d) the identity of the person or persons, during the designed period, who was in charge of the collection of input materials, the processing of input materials, the data bases utilized, and/or the programming to obtain such output.
5. Responses to requests referring to documents shall include all documents relating to the time period specified in each request or in these instructions, whether prepared before, during or after that period.
6. Individual response of more than one page should be stapled or bound, and each page consecutively numbered.
7. If any document covered by this request is withheld for whatever reason, please furnish a list identifying all withheld documents in the following manner:
 - a. the reasons for withholding;
 - b. date of the document;
 - c. name of each author or preparer;

- d. name of each person who received the document; and
 - e. statement of facts constituting the basis for withholding the document.
8. If you assert that documents, records, or information responsive to any requests have been destroyed and are thus not available, state when and explain why any such document, record or information was destroyed, identify the person directing the destruction and identify all documents relevant to such destruction or explanation. If a claim is made that the destruction occurred pursuant to your document destruction program, identify and produce a copy of the guideline, policy, or company manual describing such document destruction program, and any correspondence or communication relating to the destruction of responsive documents, records or information.
 9. If any of these requests are not answered on the ground that the material or information requested is confidential, privileged or otherwise immune to discovery, set forth in detail the factual and legal basis which support your decision to withhold production. Please also state whether a protective order or protective conditions regarding disclosure would satisfy or resolve your concern.
 10. Each document or written response shall designate the respective question (and subpart of the question) under which it is being produced.
 11. Each document produced shall be an authentic original document or a true duplicate of an authentic original document.
 12. Each of these requests shall be considered to be continuing and to require supplemental or amended answers as readily as information and knowledge is acquired.
 13. If, in answering a request, you encounter any ambiguity in interpreting either the request or a definition or instruction applicable thereto, please secure a clarification by contacting undersigned counsel as soon as the ambiguity is known.
 14. The term “and” and “or” should be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of each request any information or document which might otherwise be considered to be beyond its scope.
 15. The singular form of a word should be interpreted as plural, and the plural form of a word should be interpreted as singular, whenever appropriate in order to bring within the scope of each request.

Respectfully submitted this 26th day of February, 2018.

s/ Nikolas S. Stoffel

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**COUNSEL FOR ENERGY WEST MONTANA,
INC. AND CUT BANK GAS COMPANY**

DATA REQUESTS

EWM-CBGC-001 RE: Electronic Copies of Exhibits and Workpapers
Witness: All

Please provide electronic copies of all of Mr. Donkin's, Mr. Hill's, and Mr. Schulz's workpapers, schedules, tables, and exhibits in native format with all links and formulae intact.

CERTIFICATE OF SERVICE

I certify that on the 26th day of February, 2018, the **ENERGY WEST MONTANA'S AND CUT BANK GAS COMPANY'S FIRST SET OF DATA REQUESTS TO THE MONTANA CONSUMER COUNSEL (EWM-CBG-001)** were filed with the Montana PSC and served via U.S. Mail and/or e-mail, unless otherwise noted, to the following:

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