

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

IN THE MATTER OF NORTHWESTERN ENERGY's) UTILITY DIVISION
Application(s) for Approval of Electric Supply) DOCKET NO. D2008.5.45
Deferred Cost Account Balance and) DOCKET NO. D2009.5.62
Projected Electric Supply Cost) (consolidated)

MOTION TO INTERVENE OF NATURAL RESOURCES DEFENSE COUNCIL,
DISTRICT XI, HUMAN RESOURCE COUNCIL, AND
RENEWABLE NORTHWEST PROJECT

As more fully set forth below, Natural Resources Defense Council (NRDC), Renewable Northwest Project (RNP), and Human Resource Council, District XI file this motion to intervene in order to become parties to the above-captioned proceeding.

Movants

Human Resource Council, District XI is a Montana non-profit corporation that serves Missoula, Mineral, and Ravalli counties. Its offices are at 1801 S. Higgins, Missoula, Montana 59801.

Human Resource Council, District XI was established in 1965 as a result of the Federal "War on Poverty." The organization seeks to alleviate poverty and enhance the public health and welfare. Since its inception District XI has been actively involved in serving thousands of low and moderate-income residents of western Montana with a variety of programs. Over the years District XI has participated in numerous proceedings before the Commission in order to ensure responsible energy development and the

delivery of low-cost, reliable energy supplies to Montana consumers. In particular, District XI has advocated for utility demand side management programs that are aggressive and soundly implemented.

NRDC is a not-for-profit corporation dedicated to the preservation of the earth's natural resources, including its air, land, and water resources that are impacted by electric power production and delivery. NRDC maintains several offices in the United States, including one at 111 Sutter St., 20th Floor, San Francisco, CA 94104.

Supported by over 500,000 members across the nation, including approximately 3,000 Montana members, NRDC has demonstrated a long-standing interest in protecting Montana's environmental quality from degradation due to the production, transmission, and distribution of energy. For two decades NRDC has been actively involved in issues related to the efficient use of energy, low-income energy services, and environmentally preferred renewable power generation in Montana. Over the years NRDC has been a party in numerous formal and informal proceedings before the Commission to ensure the provision of environmentally sound, reliable, and affordable energy supplies for Montanans. In particular, NRDC has focused its attention on the benefits to customers, the utility, and to the environment from utility acquisition of efficiency.

RNP is a not-for-profit corporation that promotes and supports the development of appropriately sited, new renewable resources in the Pacific Northwest. RNP's forty-three members include environmental and consumer organizations, as well as businesses and manufacturers that develop renewable energy equipment and projects. Two of RNP's member organizations are based in Montana, another two organizations have substantial numbers of Montana members, and a third has a manufacturing facility in

Montana. RNP's offices are located at 917 SW Oak Street, Suite 303, Portland OR 97205.

Within Montana, RNP advocates for the development of the State's abundant renewable resources, particularly wind and solar, and encourages utilities and their customers to purchase electricity generated by environmentally responsible renewable resources. RNP has participated in many formal and informal proceedings before the Commission concerning the electric utility industry and the development and use of new renewable resources.

Movants Interests and Position

As stated above, movants have intervened and participated in many Commission proceedings. Among these have been previous NorthWestern Energy electric tracker proceedings wherein NRDC, Human Resource Council, District XI, and RNP engaged on issues related to NorthWestern Energy's efficiency acquisition efforts and its lost revenue recovery mechanism. Movants also intervened in the Colstrip 4 docket. As the Commission is aware, the instant tracker docket seeks to recover Colstrip 4 costs for the first time and also continue the practice of lost revenue recovery. Accordingly, Human Resource Council, District XI, and RNP are entitled to intervene so as to protect their long-standing interest in efficiency acquisition and responsible utility practice and regulation.

At the present time, movants take no position on any specific issue. As data requests are responded to and the record is more fully fleshed out, movants will be in a better position to identify matters warranting advocacy.

Finally, as not-for-profit representatives of the environmental, renewable energy, and low-income communities, NRDC, District XI, and RNP's interests are unique and cannot be adequately represented by the participation of any other party in this proceeding. Movants will not delay the proceeding nor prejudice any party through their intervention, nor will they seek to broaden the issues presented in this docket. Finally, movants will make a unified presentation of their case should it be necessary to file testimony or call any witnesses.

Service of Documents

Petitioners request that all documents in this proceeding be served on their counsel

Charles Magraw
501 8th Ave
Helena, MT 59601
(406) 449-3375
c.magraw@bresnan.net

and on:

Dr. Thomas Power
920 Evans
Missoula, MT 59801
tom.power@mso.umt.edu

Conclusion

For the foregoing reasons, Petitioners request the Commission to grant this motion to intervene.

Respectfully submitted,

Charles E. Magraw
501 8th Ave.
Helena, MT 59601
(406) 449-3375

Attorney for Natural Resources Defense
Council, Human Resource Council, District
XI, and Renewable Northwest Project

July 1, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have, this _____ day of July, 2009, served the foregoing by e-mail and hard copy on the parties to this proceeding.

Charles Magraw