

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

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IN THE MATTER OF the Consolidated)	REGULATORY DIVISION
Petition by Mountain Water Company)	
for Declaratory Rulings and Application)	
for Approval of Sale and Transfer of)	DOCKET NO. D2011.1.8
Stock in Park Water Company)	

**JOINT MOTION OF MONTANA CONSUMER COUNSEL
AND CLARK FORK COALITION
FOR EXTENSION OF TIME FOR FILING
INITIAL INTEVERNOR PRE-FILED TESTIMONY**

The Montana Consumer Counsel (MCC) and the Clark Fork Coalition (CFC) move this Commission pursuant to Admin. R. Mont. 38.2.312 to extend the time in which to file intervenor initial pre-filed testimony. The Procedural Order set a date of June 14, 2011 as the final day for initial pre-filed testimony from intervenors. Order No. 7149 (May 17, 2011). The extension sought by this motion would make the responses due on July 29, 2011. MCC and CFC understand that the Commission will be considering a modification to the Procedural Order at its weekly meeting on June 28, 2011. In support of their motion, the MCC and CFC state as follows:

1. MCC and CFC each filed data requests pursuant to the deadline set forth in the Procedural Order on May 19 and May 20, 2011, respectively. On May 31, 2011,

Carlyle Infrastructure Partners, LP (“Carlyle”) filed its Motion for Protective Order and Brief in Support seeking a protective order from the Commission to keep confidential certain financial, organizational, and other information.

2. On June 10, 2011, MCC made a request in writing to Commission staff seeking an extension of time to file intervenor testimony. MCC requested a deadline to be set eleven days from the date of receipt of the protected responses, which was the interval originally contemplated between service of data responses and filing of intervenor testimony. CFC and the City of Missoula (the “City”) joined in MCC’s June 10, 2011 request for an extension of time.

3. On June 13, 2011, Commission staff issued a notice for an out-of-cycle work session to be held on June 16, 2011 for the Commission to act on Carlyle’s Motion for a Protective Order. On June 15, 2011, Commission staff notified the parties that the June 16 work session had been cancelled and would be rescheduled for the Commission’s June 21, 2011 weekly meeting.

4. On June 21, 2011, the Commission granted Carlyle’s Motion for Protective Order and the Protective Order No. 7149a, dated June 24, 2011, was provided to the parties by email by Commission staff on June 23, 2011.

5. The time for analysis of Carlyle’s protected responses will now fall during the July 4th holiday which will need to be factored into a modified Procedural Schedule. MCC’s expert witness, Dr. John W. Wilson, will be unavailable due to the upcoming MDU hearing on June 29-30 and July 5, when Dr. Wilson will be travelling to Montana for the QF-1 hearing in Docket No. D2010.7.70 beginning the next day. In addition, Dr.

Wilson will have to be in Great Falls for the EWM hearing in Docket No. D2010.9.90 beginning on July 13 for the duration of that hearing. MCC and CFC, and their respective witnesses, will therefore not have adequate time for meaningful review if the original eleven-day interval is reflected in a modified Procedural Schedule.

6. Counsel for the City has authorized MCC and CFC to state that the City does not oppose the extension of time sought pursuant to this Motion. Efforts to reach counsel for Mountain Water and Carlyle were not successful. Counsel for CFC has authorized counsel for MCC to sign on her behalf.

Respectfully submitted this 24th day of June, 2011.

Mary Wright, Attorney
Montana Consumer Counsel
P.O. Box 201703
111 North Last Chance Gulch
Helena, Montana 59620-1703
(406) 444-9698
mwright@mt.gov

Barbara Hall, Legal Director
Clark Fork Coalition
140 S. 4th Street West, Unit 1
P.O. Box 7593
Missoula, Montana 59801
(406) 542-0539 ext 211
barbara@clarkfork.org

CERTIFICATE OF SERVICE

I hereby certify that on this, the 24th day of June, 2011, the foregoing JOINT MOTION OF MONTANA CONSUMER COUNSEL AND CLARK FORK COALITION FOR EXTENSION OF TIME FOR FILING INITIAL INTEVERNOR PRE-FILED TESTIMONY was served via U.S. mail and electronic mail on:

Arvid Hiller
Mountain Water Company
1345 W Broadway
PO Box 4826
Missoula, MT 59806-4826
(U.S. mail only)

Kate Whitney
Public Service Commission
1701 Prospect Avenue
P. O. Box 202601
Helena, MT 59620-2601
(e-filed plus original)

John Alke
Hughes, Kellner, Sullivan & Alke
40 W. Lawrence, Suite A
P.O. Box 1166
Helena, MT 59624-1166
jalke@hksalaw.com

Bryan D. Lin
The Carlyle Group
520 Madison Avenue, 41st Floor
New York, NY 10022
bryan.lin@carlyle.com

Jim Nugent
Missoula City Attorney's Office
435 Ryman Street
Missoula, MT 59802
Nugent@ci.missoula.mt.us

Jim Larocque, CFA
The Carlyle Group
520 Madison Ave
New York, NY 10022
jim.larocque@carlyle.com

Thorvald A. Nelson
Holland & Hart LLP
6380 South Fiddlers Green Circle, Suite 500
Greenwood Village, CO 80111
tnelson@hollandhart.com

William Mercer
Holland & Hart LLP
401 North 31st Street, Suite 1500
P. O. Box 639
Billings, Montana 59103-0639
wwmerc@hollandhart.com

Electronic service only:
ramoody@hollandhart.com
jkraske@mt.gov

By: _____
Mary Wright