

Service Date: November 23, 2011

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

IN THE MATTER of the Petition of ) REGULATORY DIVISION  
NorthWestern Corporation d/b/a )  
NorthWestern Energy for Certification of ) DOCKET NO. D2011.11.93  
an Eligible Renewable Resource and )  
Community Renewable Energy Project )

**NOTICE OF PETITION AND OPPORTUNITY TO COMMENT**

On November 21, 2011, NorthWestern Corporation d/b/a NorthWestern Energy (NorthWestern) filed a Petition for Certification of the Gordon Butte Wind I Project as an Eligible Renewable Resource and Community Renewable Energy Project pursuant to the Renewable Power Production and Rural Economic Development Act, also known as the Renewable Portfolio Standard (RPS). *See* Mont. Code Ann. § 69-3-2001 *et seq.* (2011). The Montana Public Service Commission (Commission) has jurisdiction over this matter pursuant to Section 69-3-2006 of the Montana Code Annotated.

Beginning January 1, 2012, the RPS requires public utilities to "purchase both the renewable energy credits and the electricity output from community renewable energy projects that total at least 50 megawatts in nameplate capacity." *Id.* at § 69-3-2004(3)(b). A "community renewable energy project" is an eligible renewable resource no larger than 25 megawatts (when counted with others within five miles, built within twelve-months, and under common ownership) "in which local owners have a controlling interest." *Id.* at § 69-3-2003(4)(a), (18). A "local owner" includes a business entity organized under the laws of Montana, at least 50% owned by Montana residents (*vis-à-vis* equity, income and voting interests), and with less than \$50 million in gross revenue and \$100 million in assets. *Id.* at § 69-3-200(11)(c).

A new facility that produces electricity from wind in Montana is an eligible renewable resource. *Id.* at § 69-3-2003(10). "Before entering into a long-term contract to purchase renewable energy credits," however, "a public utility must petition the [C]ommission to certify that the renewable energy credits were produced by an eligible renewable resource." Admin. R.

Mont. § 38.5.8301(3) (2011); *see also* Mont. Code Ann. § 69-3-2006(2)(b). In its Petition, NorthWestern seeks certification of a 9.6 megawatts wind facility currently being constructed by Gordon Butte Wind, LLC in Meagher County, Montana.

Any interested person may file comments addressing NorthWestern's Petition with the Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601. The Commission will accept and consider any public comments submitted before it makes a final decision on the Petition. In order to ensure consideration, however, interested persons should file comments no later than December 9, 2011. A person may request a contested case proceeding pursuant to the Montana Administrative Procedures Act by filing a request for a contested case no later than December 9, 2011. *See* Mont. Code Ann. § 2-4-601 *et seq.*

In order to file comments or a request for a contested case a person must: (1) Submit the document electronically (e-file) on the PSC's web site at <http://psc.mt.gov> (go to "Account Login/Registration" under "Electronic Documents" tab); (2) physically deliver or mail the original document to the Commission; and (3) serve a hard copy of the document on NorthWestern's counsel, Al Brogan, NorthWestern Energy, 208 North Montana, Suite 205, Helena, Montana 59601. The Commission will not post an e-filed document to its website until it receives the original.

A copy of NorthWestern's Petition is available for inspection at the Commission's business offices and also on the Commission's web site at <http://psc.mt.gov> under Docket D2011.11.93. The Montana Consumer Counsel, 111 North Last Chance Gulch, Suite 1B, Helena, Montana 59620-1703, telephone (406) 444-2771, is available to represent the interests of the consuming public in this matter.

The Commission initially notices proceedings through a general service list. Interested persons wishing to receive subsequent notices and orders in this docket must request in writing to be added to its specific service list by December 9, 2011.

BY THE MONTANA PUBLIC SERVICE COMMISSION

TRAVIS KAVULLA, Chairman  
GAIL GUTSCHE, Vice Chair  
W. A. (BILL) GALLAGHER, Commissioner  
BRAD MOLNAR, Commissioner  
JOHN VINCENT, Commissioner