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

In the Matter of NorthWestern Energy's)	
Application for Approval to Purchase and)	
Operate PPL Montana's Hydroelectric)	REGULATORY DIVISION
Facilities, for Approval of Inclusion of)	
Generation Asset Cost of Service in)	DOCKET NO. D2013.12.85
Electricity Supply Rates, for Approval of)	
Issuance of Securities to Complete the)	
Purchase, and for Related Relief)	

**NORTHWESTERN ENERGY'S
REQUEST FOR ORAL REPLY AND PRESENTATION**

NorthWestern Corporation doing business as NorthWestern Energy ("NorthWestern"), requests that the Commission allow it to reply orally to the Montana Consumer Counsel's Response to Objections and Motion to Compel filed on February 3, 2014, and to present its positions regarding the scope of discovery in this proceeding and its objections to certain

Commission data requests. Procedural Order 7323b, ¶ 9, provides the Commission may schedule oral argument before ruling on an objection.

NorthWestern considers the acquisition of the Hydros to be the most significant action related to electricity supply since Montana's ill-fated experiment with electric supply deregulation. Consequently, NorthWestern is committed to providing the Commission and the parties all of the information needed for the Commission to reach a decision. NorthWestern is devoting very significant resources to responding to data requests and is committed to keeping the proceeding on schedule. However, NorthWestern is concerned about the number and direction of data requests to date, and in particular, those related to coal. To date, the Commission and the MCC have served 420 data requests (counting subparts) on NorthWestern. NorthWestern has objected to 36 data requests (counting subparts). Of those to which NorthWestern objected, 14 are related to coal assets. Additionally, 29 data requests for which the deadline for objections has not passed are related to coal assets. NorthWestern will continue to object to these types of data requests and may seek reconsideration of orders overruling any such objections.

To emphasize its concern, the MCC, in MCC-011, asked NorthWestern for copies of all communications between NorthWestern and PPL regarding the potential acquisition of any generating properties from PPLM *other* than the hydro properties at issue in this docket (i.e. coal). NorthWestern has 40,000 responsive documents to this request. In order to produce them, it would take NorthWestern 21 work days, 50 documents reviewers, and over \$140,000. *See NorthWestern's Supplement to its Objection to Data Request MCC-011* filed on January 30, 2014 (Docket D2013.12.85). NorthWestern very much appreciates the MCC's withdrawal of that request, but the PSC might now make the same request. Such a request, at this time, could

derail this proceeding's schedule as the production of all responsive documents would take weeks. NorthWestern does not want to incur such costs and does not believe coal is part of this docket. For these reasons, NorthWestern needs the Commission to rule on the relevance of coal as discovery requests are still being propounded which require the production of information relating to the PPL coal assets.

Further, NorthWestern wants to be sure that the Commissioners hear arguments from both sides of the issues regarding certain of the Commission data requests.

NorthWestern does not intend and is not asking to address every data request to which it has objected. Rather, NorthWestern wants to be able to address any issues raised by the Commission concerning its position on discovery, and to present its side, relative to these issues. NorthWestern will also address concerns regarding the process by which protection for personal and trade secret information can be obtained after the Commission rules on objections, to the extent that any documents are ordered to be produced. NorthWestern believes that the opportunity to discuss these issues at a hearing will advance the Commission's objectives effectively and efficiently, and will provide the Commission with the fullest record on which to make its decisions regarding its objections and the MCC's motion to compel.

NorthWestern is willing to make the response and presentation requested herein at the Commission's convenience any time after February 7, 2014. This would afford the other parties an opportunity to participate.

Respectfully submitted this 5th day of February 2014



Al Brogan
Sarah Norcott
Attorneys for NorthWestern Energy

CERTIFICATE OF SERVICE

I hereby certify that a copy of NorthWestern Energy's Request for Oral Reply and Presentation in Docket No. D2013.12.85 has been hand delivered to The Montana Public Service Commission and The Montana Consumer Counsel. A copy has been e-filed on the MPSC website. It will be mailed to the most recent service list in this Docket by first class mail. It will also be emailed to the counsel of record.

Date: February 5, 2014

A handwritten signature in black ink that reads "Nedra Chase". The signature is written in a cursive style and is positioned above a horizontal line.

Nedra Chase
Administrative Assistant
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Docket No D2013.12.85
Hydro Assets Purchase
Service List

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