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

IN THE MATTER OF NorthWestern Energy's)	
Application for (1) Approval of Deferred Cost)	REGULATORY DIVISION
Account Balances for Electricity Supply, CU4)	
Variable Costs/Credits, DGGGS Variable)	
Costs/Credits; and (2) Projected Electricity Supply)	DOCKET NO. D2013.5.33
Cost Rates, CU4 Variable Rates, DGGGS Variable)	
Rates, and Spion Kop Variable Rates)	

**NorthWestern Energy's Motion to Defer Proceedings
and Consolidate this Docket with the
2014 Electricity Supply Tracker Docket**

NOW COMES NorthWestern Energy ("NorthWestern"), by and through its undersigned counsel, and moves the Montana Public Service Commission ("Commission") to defer the proceedings in this docket and consolidate this docket with the 2014 Electricity Supply Tracker ("2014 Electric Tracker") docket when it is filed by NorthWestern ("Motion"). NorthWestern provides the following support for its Motion.

I. Procedural Background

On May 31, 2013, NorthWestern filed its 2013 Application for (1) Approval of Deferred Cost Account Balances for Electricity Supply, Colstrip Unit 4 (“CU4”) Variable Costs/Credits, Dave Gates Generating Station (“DGGS”) Variable Cost/Credits; and (2) Projected Electricity Supply Cost Rates, CU4 Variable Rates, DGGS Variable Rates, and Spion Kop Variable Rates (“Application”) with the Commission (Docket No. D2013.5.33). On June 19, 2013, the Commission issued a Notice of Application and Intervention Deadline setting the intervention deadline for July 31, 2013. By Notice of Staff Action, intervention was granted to the Human Resource Council District XI, Natural Resources Defense Council, and the Montana Consumer Counsel.

As part of its Application, NorthWestern requested interim rates. On June 26, 2013, the Commission issued Order No. 7283 which granted NorthWestern’s request for interim rates.¹ Order No. 7283, ¶ 27 further provided that if the final approved rates are less than the approved interim rates, interest on any refunded amount to customers shall be calculated at 10.25%.

To date, the only discovery in this docket (3 data requests with a total of 8 subparts) was issued by the Commission on January 17, 2014. NorthWestern filed its responses on February 19, 2014.² The Commission has not issued a procedural order in this docket.³

¹ The Commission removed from NorthWestern’s request recovery of the DGGS variable account balance of \$1,419,172 associated with the replacement regulation services purchased by NorthWestern during the 2012 DGGS outage.

² These responses were timely filed. ARM 38.2.3301 incorporates by reference certain rules of the Montana Rules of Civil Procedure (“M. R. Civ. P.”). To date, a procedural order has not issued in this docket. Therefore, pursuant to ARM 38.2.3301, M. R. Civ. P. 33 and 34 provide NorthWestern with 30 days to respond to these discovery requests.

³ On February 3, 2014, Commission staff circulated a proposed procedural schedule for this docket. NorthWestern notes that this is the third proposed schedule from Commission staff. For various reasons, the prior proposed procedural schedules were not issued.

II. Discussion and Request

Montana law and Commission rules permit NorthWestern to file an annual electric supply tracker filing each year. *See* § 69-8-210, MCA, and ARM 38.5.8226. These annual filings reflect rate treatment for the balance in NorthWestern's Electricity Supply Deferred Cost Account for the previous twelve-month period and reflects the projected load, supply and related electric costs for the future twelve-month period. With this Motion, NorthWestern requests that the Commission defer this docket and consolidate it with the 2014 Electric Tracker. That filing will be made in May of this year. NorthWestern believes at this point that deferral would allow for the most efficient processing of this docket and would facilitate administrative economy.

As noted above, NorthWestern has only been asked 3 discovery requests over the last 9 months in this docket. Despite 9 months having elapsed, this docket is just getting started. Three months remain before NorthWestern must file its next electricity supply tracker. During those three months, NorthWestern will be preparing its annual filings (propane, electricity, and natural gas supply trackers) for 2014. Also, during this time, NorthWestern will be reviewing and possibly engaging in discovery on intervenor testimony, preparing and filing rebuttal testimony, responding to discovery on rebuttal testimony, and possibly dealing with additional issues in Docket No. D2013.12.85, the docket that involves NorthWestern's request to purchase and operate PPL Montana's hydroelectric facilities ("Hydro docket").⁴ Therefore, NorthWestern believes that the Commission's, the parties', and its own time would be best spent processing this Application simultaneously with the 2014 Electric Tracker. This will facilitate administrative efficiency and should help the Commission manage its contested case agenda.

⁴ The parties to this docket (D2013.5.33) are also parties in the Hydro docket.

The Commission has recognized the efficiency of processing two similar dockets in one proceeding by consolidating prior electricity supply tracker filings. *See, e.g.*, Notice of Commission Action, Docket No. D2006.5.66 (July 2, 2007) (consolidating the electric tracker Docket No. D2006.5.66 with electric tracker Docket No. D2007.5.46); *see also* Notice of Commission Action, Docket No. D2008.5.45 (June 19, 2009) (consolidating the electric tracker Docket No. D2008.5.45 with electric tracker Docket No. D2009.5.62).

Finally, neither the Commission nor the parties will be prejudiced by granting NorthWestern's Motion since there will still be an opportunity to ask NorthWestern about its Application. In addition, customers are not harmed by granting NorthWestern's Motion as any refunds on interim rates must include interest calculated at 10.25%.

III. Conclusion

Based on the foregoing, NorthWestern hereby requests that the Commission defer the proceedings in this docket and consolidate this docket with the 2014 Electric Tracker that will be filed in May of 2014.

Respectfully submitted this the 28th day of February, 2014.

NORTHWESTERN ENERGY

By: 
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CERTIFICATE OF SERVICE

I hereby certify that a copy of NorthWestern Energy's Motion to Defer Proceedings and Consolidate this Docket with the 2014 Electricity Supply Tracker Docket in Docket D2013.5.33 Electric Tracker will be hand delivered to the Montana Public Service Commission (PSC) on this day and e-filed electronically on the PSC website. It will also be hand delivered to the Montana Consumer Counsel and mailed via first class mail postage prepaid to the service list.

Date: February 28, 2014



Tracy Lowney Killoy
Administrative Assistant
Regulatory Affairs

**Docket No. D2013.5.33
Electric Filing
Service List/Mailing Labels**

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