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

* * * * *

IN THE MATTER OF NorthWestern)	REGULATORY DIVISION
Energy’s 2012 – 2013)	
Electric Supply Tracker)	DOCKET NO. D2013.5.33
)	

OPPOSITION TO REQUEST TO DEFER PROCEEDINGS

Intervenor Montana Consumer Counsel opposes NorthWestern Energy’s (NWE) Motion to Defer Proceedings in the above-captioned matter.

NWE’s request is predicated on efficient use of the Commission and the parties’ time. Brief p. 3. NWE represents that “customers are not harmed by granting NorthWestern’s Motion as any refunds on interim rates must include interest calculated at 10.25%.”

However, the rebate provision of an interim order is only effective to the extent there are no policy questions at issue whereby historical costs may be allowed for recovery but not allowed prospectively. Left unsaid in NWE’s motion is the impact on customers of costs that are currently passed through to ratepayers under the Company’s

Lost Revenue Adjustment Mechanism (LRAM) in place today. Deferral of the electric tracker proceeding enables the Company to continue recovering costs from ratepayers under the current LRAM until a decision on the merits in a new proceeding.

One possible outcome in the 2013 electric tracker docket is the elimination wholly or in part of LRAM going forward. Consequently, delaying this docket may be to the detriment of ratepayers as it would extend the time period over which LRAM is collected in rates when there is a possibility those collections could cease or be reduced in the future. In fairness, the Commission should review this issue as soon as possible, which would be in the current electric tracker docket, a docket that is open and can be scheduled for a hearing within a few months.

Deferral of this proceeding could result in an economic burden being placed upon ratepayers that is increasing with time and potentially may not be remedied by the rebate provision of the interim order in this docket. It is just and fair for the Commission to address this issue sooner rather than later.

The MCC opposes NWE's request to defer this proceeding and requests the Commission issue a procedural schedule forthwith.

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DATED this _____ day of March, 2014.

TRANEL LAW FIRM, P.C.

By: _____
Monica J. Tranel
Attorney at Law