



December 12, 2014

Ms. Kate Whitney
Utility Division
Montana Public Service Commission
1701 Prospect Avenue
PO Box 2022601
Helena, Montana 59620-2601

**Re: Docket Nos. D2013.5.33/D2014.5.46 Electric Tracker
Updated responses to MEIC-24, 25 and 30 in MEIC Set 2
(012-032) Data Requests**

Dear Ms. Whitney:

Enclosed for filing is a copy of NorthWestern Energy's updated responses to MEIC-24, 25 and 30 in MEIC Set 2 (012-032) data requests. The responses will be hand delivered to the Montana Public Service Commission and the Montana Consumer Counsel. The responses will be mailed to the service list in this docket and e-filed with the PSC, and emailed to counsel of record.

Should you have questions please contact Joe Schwartzberger at (406) 497-3362.

Sincerely,

Tracy Lowney Killoy
Administrative Assistant

CERTIFICATE OF SERVICE

I hereby certify that a copy of NorthWestern Energy's updated responses to MEIC-24, 25 and 30 in MEIC Set 2 Data Requests in Docket Nos. D2013.5.33/D2014.5.46 has been hand delivered to the Montana Public Service Commission and to the Montana Consumer Counsel this date. They will be e-filed on the PSC website, e-mailed to counsel of record, and served on the most recent service list by mailing a copy thereof by first class mail, postage prepaid.

Date: December 12, 2014


Tracy Lowney Killoy
Administrative Assistant
Regulatory Affairs

Docket No. D2013.5.33/D2014.6.46
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NorthWestern Energy
Docket D2013.5.33/D2014.5.46
Electric Tracker

Montana Environmental Information Center/Sierra Club
Set 2 (012-032)

Data Requests received October 6, 2014

MEIC-24 Subject: Costs at Colstrip

For each month during the last five years, please provide the following data for Colstrip Units 1, 2, and 3:

- a. Variable costs;
- b. Fixed costs;
- c. Fuel costs;
- d. Capacity factor; and
- e. MWh output.

RESPONSE:

NorthWestern objects to MEIC-24 because it is not relevant and not reasonably calculated to lead to admissible evidence. Pursuant to Rule 26(b)(1) of the Montana Rules of Civil Procedure (“M. R. Civ. P.”), a party may only obtain discovery “relevant to any party’s claim or defense” and that “appears reasonably calculated to lead to the discovery of admissible evidence.” The Commission adopted M. R. Civ. P. 26 in its administrative rules. *See* ARM 38.2.3301. Discovery is irrelevant if it has “no bearing on [the] legitimate issues” in the docket. *Henricksen v. State*, 2004 MT 20, ¶ 44, 319 Mont. 307, 84 P.3d 38. In *Henricksen*, the Supreme Court affirmed the district court’s decision to deny the State’s discovery requests for the other party’s financial documents, school transcripts or personnel records since the issue to be decided by the court involved the party’s mental and emotional states and not a claim for lost earnings or lost earning capacity. *Id.*

Before the Commission in this docket is NorthWestern’s electricity supply tracker. As required by law, the Commission established an “electricity cost recovery mechanism” that permits NorthWestern “to fully recover prudently incurred electricity supply costs.” *See* Mont. Code Ann. § 69-8-210(1). In this matter, NorthWestern filed applications requesting permission to track certain electricity supply costs incurred during two tracker years.¹ Specifically, these are electricity supply costs incurred from July 1, 2012 to June 30, 2014. In Order No. 6925f in Docket No. D2008.6.69 (“Order”), the Commission granted NorthWestern the right to include its interest in Colstrip Unit No. 4 (“CU4”) in rate base as an electricity supply resource. Additionally, in that Order, ¶¶ 260-61, the Commission permitted NorthWestern to track costs from CU4 incurred in a tracker year. NorthWestern’s applications in this docket include requests to track the following variable costs related to CU4: fuel costs, property taxes, demand-side

¹ The Commission consolidated NorthWestern’s 2013 Electricity Supply Tracker docket with its 2014 Electricity Supply Tracker docket. *See* Notice of Commission Action issued May 12, 2014.

NorthWestern Energy
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Data Requests received October 6, 2014

MEIC-24 cont'd

management lost revenues, and carrying costs. This docket also includes a request to recover certain replacement power costs resulting from an outage at CU4 that occurred in the second half of 2013.

This data request seeks information that is not relevant or reasonably calculated to lead to discovery of admissible evidence because the request (1) seeks information about assets that NorthWestern does not own nor have an interest in,² (2) is unrelated to the issues contained in NorthWestern's applications, and (3) seeks information about years beyond the tracker years involved in this docket. The data request asks for information about Units 1, 2 and 3 at Colstrip for the last five years. As discussed earlier, NorthWestern only has an interest in CU4. The variable, fixed and fuel costs and the capacity factor and megawatt per hour output from Colstrip Units 1, 2 and 3 will not lead to the discovery of admissible evidence about CU4. Additionally, this information is unrelated to the issue of whether NorthWestern should be permitted to recover in rates specific costs it incurred relating to CU4. Furthermore, the data request seeks information for a five-year period. This docket only involves two tracker years as discussed above. Information beyond the two tracker years falls outside the issues in this docket. The information sought in this data request unequivocally has nothing to do with, nor does it have any legitimate bearing on, the issues in this docket. As such, it will not lead to admissible evidence and therefore is not relevant.

This data request seeks information that is beyond the scope of this docket. With this data request, it would appear that the Montana Environmental Information Center and the Sierra Club ("MEIC/SC") are attempting to expand the issues in the docket, which they are not permitted to do given their intervenor status. Over NorthWestern's objection, the Commission granted general intervenor status to the MEIC/SC in this docket. *See* Notice of Commission Action issued August 20, 2014 ("Notice"). As a general intervenor, MEIC/SC is not permitted to expand or broaden the issues in the docket. ARM 38.2.2403 (general intervention is limited to "[a]ny person, other than the original parties to the proceeding, who shall desire to appear and participate in any proceeding before the commission, and who does not desire to *broaden the issues of the original proceeding.*") (emphasis added). The Commission reminded the parties of this fact in the Notice: "general intervention is limited to the scope of the original proceeding by definition." *See* Notice, p. 3.

² NorthWestern's ownership interest in CU4 entitles it to 222 megawatts of generation. Pursuant to a reciprocal sharing agreement, NorthWestern receives 111 MW from CU4 and 111 MW from Colstrip Unit 3. However, NorthWestern does not own any interest in Colstrip Unit 3.

NorthWestern Energy
Docket D2013.5.33/D2014.5.46
Electric Tracker

Montana Environmental Information Center/Sierra Club
Set 2 (012-032)

Data Requests received October 6, 2014

MEIC-24 cont'd

The MEIC/SC sought general intervenor status in this docket “to demonstrate that NorthWestern Energy has not established that it prudently incurred the costs associated with Colstrip Unit 4.” MEIC/SC Petition for General Intervention, p. 3. In their Petition, they unambiguously assert that they would limit their testimony to the issue of “whether NorthWestern Energy’s costs due to the Colstrip Unit 4 outage were ‘prudently incurred.’” *Id.*, p. 5. Since this data request seeks information about Colstrip Units 1, 2 and 3, which will not lead to discovery of admissible evidence about the outage at CU4 or the other variable costs involved in this docket, the MEIC/SC are attempting to do exactly what NorthWestern provided that they would do, and what the Commission reminded the parties is impermissible to do, in this case: broaden the issues. The Commission should not permit the MEIC/SC to broaden the issues in this docket with this data request. Therefore, based on the foregoing, the Commission should sustain NorthWestern’s objection to MEIC-024.

UPDATED RESPONSE (December 12, 2014):

See the response to Data Request MEIC-25.

NorthWestern Energy
Docket D2013.5.33/D2014.5.46
Electric Tracker

Montana Environmental Information Center/Sierra Club
Set 2 (012-032)

Data Requests received October 6, 2014

MEIC-25 Subject: Costs at Colstrip 4
 Witness: Frank Bennett, parts a, b, c / Mike Barnes, parts d and e

For the last five years, please provide the following data for Colstrip Unit 4:

- a. Variable costs;
- b. Fixed costs;
- c. Fuel costs;
- d. Capacity factor; and
- e. MWh output.

RESPONSE:

NorthWestern objects to MEIC-25 because it is not relevant and not reasonably calculated to lead to admissible evidence. Please see the first two paragraphs of the response to MEIC-24 for the applicable legal standard for this objection.

This data request seeks information that is not relevant or reasonably calculated to lead to discovery of admissible evidence because the request (1) is unrelated to the issues contained in NorthWestern's applications, and (2) seeks information about years beyond the tracker years involved in this docket. The data request asks for information about CU4's fixed costs, capacity factor and megawatt per hour output. This information will not lead to the discovery of admissible evidence regarding whether NorthWestern should be permitted to recover in rates specific variable and replacement power costs it incurred relating to CU4. This information may be relevant in a general rate case, not in an electricity supply tracker which only tracks certain electricity supply costs. Section 69-8-103, MCA, defines "electricity supply costs" to mean "the actual costs incurred in providing electricity supply service through power purchase agreements, demand-side management, and energy efficiency programs, including but not limited to (a) capacity costs; (b) energy costs; (c) fuel costs; (d) ancillary service costs; (e) transmission costs, including congestion and losses; (f) planning and administrative costs; and (g) any other costs directly related to the purchase of electricity and the management and provision of power purchase agreements." Therefore, the information requested is not relevant as it will not lead to admissible evidence about those costs enumerated in the statute above. Additionally, the data request asks for specific information from the last five years. This docket involves two tracker years as discussed above. Here, the Commission must determine if the variable costs, including fuel costs, incurred in those two years should be recovered in rates. Information beyond these two tracker years is outside the issues in this docket and therefore is irrelevant and will not lead to discovery of admissible evidence.

NorthWestern Energy
Docket D2013.5.33/D2014.5.46
Electric Tracker

Montana Environmental Information Center/Sierra Club
Set 2 (012-032)

Data Requests received October 6, 2014

MEIC-25 cont'd

This data request seeks information that is beyond the scope of this docket. With this data request, it would appear that the Montana Environmental Information Center and the Sierra Club (“MEIC/SC”) are attempting to expand the issues in the docket, which they are not permitted to do given their intervenor status. Over NorthWestern’s objection, the Commission granted general intervenor status to the MEIC/SC in this docket. *See* Notice of Commission Action issued August 20, 2014 (“Notice”). As a general intervenor, MEIC/SC is not permitted to expand or broaden the issues in the docket. ARM 38.2.2403 (general intervention is limited to “[a]ny person, other than the original parties to the proceeding, who shall desire to appear and participate in any proceeding before the commission, and who does not desire to *broaden the issues of the original proceeding.*”) (emphasis added). The Commission reminded the parties of this fact in the Notice: “general intervention is limited to the scope of the original proceeding by definition.” *See* Notice, p. 3.

The MEIC/SC sought general intervenor status in this docket “to demonstrate that NorthWestern Energy has not established that it prudently incurred the costs associated with Colstrip Unit 4.” MEIC/SC Petition for General Intervention, p. 3. In their Petition, they unambiguously assert that they would limit their testimony to the issue of “whether NorthWestern Energy’s costs due to the Colstrip Unit 4 outage were ‘prudently incurred.’” *Id.*, p. 5. Since this data request seeks information about certain costs at CU4 that are not involved in a tracker docket and information beyond the two years involved in this docket, the MEIC/SC are attempting to do exactly what NorthWestern provided that they would do, and what the Commission reminded the parties is impermissible to do, in this case: broaden the issues. The Commission should not permit the MEIC/SC to broaden the issues in this docket with this data request. Therefore, based on the foregoing, the Commission should sustain NorthWestern’s objection to MEIC-25.

UPDATED RESPONSE (December 12, 2014):

See Attachment. Please note that the information provided in the Attachment in columns C, D, and E is information derived from NorthWestern’s electric tracker dockets and cost of service filings. NorthWestern does not maintain separate records for Units 3 and 4 with respect to costs. With respect to the information in columns H and K (capacity factor), the values were calculated by NorthWestern using the information found in columns G and J and using 740 for each unit as a capacity rating. Please note the information contained in Columns G through K are total plant statistics and simply taking 15% of those numbers is not an accurate reflection of NorthWestern’s output received during these periods.

Docket Nos. D2013.5.33/D2014.5.46
 MEIC-025 Attachment

Month	Frank Bennett (parts a, b, c)			Mike Barnes (parts d & e)			
	Variable Cost ^{1,2}	Fixed Cost	Fuel Cost	Unit 3 Volume	Unit 3 CF*	Unit 4 Volume	Unit 4 CF*
Nov-09	\$ (2,021,496.26)	\$ 6,062,128.67	\$ 1,795,551.09	523,654	98.28%	526,941	98.90%
Dec-09	\$ (2,139,935.24)	\$ 6,062,128.67	\$ 1,614,282.35	493,575	89.65%	548,084	99.55%
Jan-10	\$ (1,991,665.51)	\$ 6,062,128.67	\$ 1,798,866.33	542,059	98.46%	515,262	93.59%
Feb-10	\$ (3,017,889.85)	\$ 6,062,128.67	\$ 445,217.33	495,928	99.73%	497,728	100.09%
Mar-10	\$ (2,169,116.82)	\$ 6,062,128.67	\$ 1,781,539.49	544,036	98.82%	503,196	91.40%
Apr-10	\$ (2,664,287.66)	\$ 6,062,128.67	\$ 944,680.08	511,314	95.97%	456,889	85.75%
May-10	\$ (2,150,555.06)	\$ 6,062,128.67	\$ 1,637,779.10	478,842	86.97%	543,327	98.69%
Jun-10	\$ (5,521,870.25)	\$ 6,062,128.67	\$ 1,273,749.21	295,439	55.45%	323,629	60.74%
Jul-10	\$ (2,254,051.65)	\$ 6,062,128.67	\$ 1,779,122.48	502,706	91.31%	471,000	85.55%
Aug-10	\$ (2,495,237.04)	\$ 6,062,128.67	\$ 1,527,186.63	485,358	88.16%	546,504	99.26%
Sep-10	\$ (2,346,839.21)	\$ 6,062,128.67	\$ 1,657,842.93	522,690	98.10%	526,014	98.73%
Oct-10	\$ (2,589,089.40)	\$ 6,062,128.67	\$ 1,202,033.04	487,372	88.52%	538,496	97.81%
Nov-10	\$ (2,536,699.06)	\$ 6,062,128.67	\$ 1,453,644.20	451,136	84.67%	517,471	97.12%
Dec-10	\$ (2,433,058.22)	\$ 6,062,128.67	\$ 1,378,966.92	449,813	81.70%	453,293	82.33%
Jan-11	\$ 1,612,458.32	\$ 6,062,128.67	\$ 1,687,412.58	418,319	75.98%	467,221	84.86%
Feb-11	\$ 1,292,383.63	\$ 6,062,128.67	\$ 1,444,653.82	421,458	84.75%	361,696	72.73%
Mar-11	\$ 1,666,446.42	\$ 6,062,128.67	\$ 1,820,487.87	499,179	90.67%	411,678	74.77%
Apr-11	\$ 1,720,011.90	\$ 6,062,128.67	\$ 1,157,849.05	-	0.00%	380,974	71.50%
May-11	\$ 459,503.12	\$ 6,062,128.67	\$ 621,048.95	-	0.00%	384,852	69.90%
Jun-11	\$ 714,150.30	\$ 6,062,128.67	\$ 881,207.96	26,290	4.93%	366,169	68.73%
Jul-11	\$ 1,501,537.39	\$ 6,062,128.67	\$ 1,664,730.80	316,135	57.42%	400,911	72.82%
Aug-11	\$ 1,735,818.51	\$ 6,062,128.67	\$ 1,886,663.44	471,600	85.66%	483,537	87.83%
Sep-11	\$ 1,726,100.06	\$ 6,062,128.67	\$ 1,864,673.81	459,611	86.26%	461,464	86.61%
Oct-11	\$ 1,646,287.95	\$ 6,062,128.67	\$ 1,773,238.79	536,703	97.48%	537,564	97.64%
Nov-11	\$ 1,457,057.15	\$ 6,062,128.67	\$ 1,573,613.45	522,285	98.03%	475,027	89.16%
Dec-11	\$ 1,756,957.67	\$ 6,062,128.67	\$ 1,861,027.89	546,574	99.28%	496,769	90.23%
Jan-12	\$ 945,777.05	\$ 6,062,128.67	\$ 1,081,603.38	540,616	98.19%	450,058	81.75%
Feb-12	\$ 1,738,093.87	\$ 6,062,128.67	\$ 1,861,756.17	484,972	94.16%	508,930	98.81%
Mar-12	\$ 1,526,787.48	\$ 6,062,128.67	\$ 1,639,714.18	432,480	78.55%	431,972	78.46%
Apr-12	\$ 2,011,658.24	\$ 6,062,128.67	\$ 584,990.38	254,972	47.86%	256,200	48.09%
May-12	\$ 2,842,227.01	\$ 6,062,128.67	\$ 739,583.96	33,498	6.08%	258,976	47.04%
Jun-12	\$ 1,215,917.58	\$ 6,062,128.67	\$ 1,095,130.72	195,199	36.64%	200,978	37.72%
Jul-12	\$ 2,522,804.91	\$ 6,062,128.67	\$ 2,331,300.02	274,965	49.94%	306,742	55.71%
Aug-12	\$ 2,131,668.01	\$ 6,062,128.67	\$ 1,940,656.88	487,867	88.61%	485,741	88.23%
Sep-12	\$ 2,038,700.82	\$ 6,062,128.67	\$ 1,846,657.79	502,379	94.29%	503,232	94.45%
Oct-12	\$ 2,285,764.41	\$ 6,062,128.67	\$ 2,089,401.09	496,544	90.19%	534,461	97.08%
Nov-12	\$ 1,650,916.77	\$ 6,062,128.67	\$ 1,454,489.65	523,608	98.27%	521,254	97.83%
Dec-12	\$ 1,781,312.31	\$ 6,062,128.67	\$ 1,585,307.68	453,558	82.38%	474,308	86.15%
Jan-13	\$ 2,135,106.15	\$ 6,062,128.67	\$ 1,921,860.97	541,744	98.40%	534,027	97.00%
Feb-13	\$ 2,171,741.50	\$ 6,062,128.67	\$ 1,956,863.87	492,440	99.03%	486,979	97.93%
Mar-13	\$ 2,244,556.53	\$ 6,062,128.67	\$ 2,026,734.33	541,303	98.32%	482,641	87.66%
Apr-13	\$ 1,345,085.78	\$ 6,062,128.67	\$ 1,129,534.84	461,747	86.66%	452,422	84.91%
May-13	\$ 1,659,249.93	\$ 6,062,128.67	\$ 1,443,502.08	422,593	76.76%	146,260	26.57%
Jun-13	\$ 1,385,485.31	\$ 6,062,128.67	\$ 1,206,252.70	472,422	88.67%	36,638	6.88%
Jul-13	\$ 1,527,766.82	\$ 6,062,128.67	\$ 1,258,603.43	480,880	87.34%	12,990	2.36%
Aug-13	\$ 1,610,317.98	\$ 6,062,128.67	\$ 1,344,564.85	537,550	97.64%	-	0.00%
Sep-13	\$ 1,561,014.89	\$ 6,062,128.67	\$ 1,297,141.14	517,481	97.12%	-	0.00%
Oct-13	\$ 1,488,015.13	\$ 6,062,128.67	\$ 1,233,847.62	473,273	85.96%	-	0.00%
Nov-13	\$ 1,413,922.05	\$ 6,062,128.67	\$ 1,126,536.55	473,191	88.81%	-	0.00%
Dec-13	\$ 1,460,983.59	\$ 6,062,128.67	\$ 1,359,517.06	543,393	98.70%	-	0.00%
Jan-14	\$ 1,724,689.75	\$ 6,062,128.67	\$ 1,516,331.34	540,995	98.26%	150,828	27.40%
Feb-14	\$ 2,466,041.66	\$ 6,062,128.67	\$ 2,254,505.80	426,772	85.82%	492,799	99.10%

Docket Nos. D2013.5.33/D2014.5.46
 MEIC-025 Attachment

Month	Frank Bennett (parts a, b, c)			Mike Barnes (parts d & e)		Unit 4 Volume	Unit 4 CF*
	Variable Cost ^{1,2}	Fixed Cost	Fuel Cost	Unit 3 Volume	Unit 3 CF*		
Mar-14	\$ 2,117,966.74	\$ 6,062,128.67	\$ 1,905,734.47	370,706	67.33%	425,552	77.29%
Apr-14	\$ 1,152,403.36	\$ 6,062,128.67	\$ 944,646.64	333,672	62.63%	302,581	56.79%
May-14	\$ 1,244,128.82	\$ 6,062,128.67	\$ 1,042,319.73	89,159	16.19%	316,981	57.57%
Jun-14	\$ 1,240,178.66	\$ 6,062,128.67	\$ 965,167.30	-	0.00%	411,216	77.18%
Jul-14	\$ 2,037,649.65	\$ 6,062,128.67	\$ 1,904,993.15	432,995	78.65%	471,995	85.73%
Aug-14	\$ 2,870,579.91	\$ 6,062,128.67	\$ 2,605,943.48	527,978	95.90%	511,190	92.85%
Sep-14	\$ 2,506,777.32	\$ 6,062,128.67	\$ 2,238,413.35	506,788	95.12%	548,066	102.87%
Oct-14	\$ 2,314,253.27	\$ 6,062,128.67	\$ 2,042,037.97	514,399	93.43%	507,550	92.19%

Notes: ¹Variable Cost includes revenue credits for retail customers. * CF was calculated based on 740MW capacity
² Variable Cost also includes the fuel cost amount shown separately in Column E.

Variable, Fixed (return & cost of service), and Fuel Costs are those reported in NWE's CU4 True-up Filings included in the Electric Supply Tracker Annual filings.

NorthWestern Energy
Docket D2013.5.33/D2014.5.46
Electric Tracker

Montana Environmental Information Center/Sierra Club
Set 2 (012-032)

Data Requests received October 6, 2014

MEIC-30 Subject: Engineering Assessments of Colstrip 4

Has NorthWestern prepared, or caused to be prepared or have in its possession, any engineering assessment of the long-term prospects of operating Colstrip Unit 4 reliably? If so, please produced the most recent such engineering study.

RESPONSE:

NorthWestern objects to MEIC-30 because it is not relevant and not reasonably calculated to lead to admissible evidence. Please see the first two paragraphs of the response to MEIC-24 for the applicable legal standard for this objection.

This data request seeks information that is not relevant or reasonably calculated to lead to discovery of admissible evidence because the request seeks information about the long-term prospects of operating CU4 reliably. The issues in an electricity supply tracker docket involve requests to recover electricity supply costs that have been incurred. Section 69-8-103, MCA, defines “electricity supply costs” to mean “the actual costs incurred in providing electricity supply service through power purchase agreements, demand-side management, and energy efficiency programs, including but not limited to (a) capacity costs; (b) energy costs; (c) fuel costs; (d) ancillary service costs; (e) transmission costs, including congestion and losses; (f) planning and administrative costs; and (g) any other costs directly related to the purchase of electricity and the management and provision of power purchase agreements.” The operation of CU4 in the future does not concern the costs that were already incurred or whether the replacement power costs that were incurred due to the outage were prudently incurred. Electricity supply tracker dockets look into the past, not the future, and therefore answers to this data request will not lead to the discovery of admissible evidence about the issues in this docket. The information sought in this data request unequivocally has nothing to do with, nor does it have any legitimate bearing on, the outage at CU4 or the other issues in this docket. As such, it will not lead to admissible evidence and therefore is not relevant.

This data request seeks information that is beyond the scope of this docket. With this data request, it would appear that the Montana Environmental Information Center and the Sierra Club (“MEIC/SC”) are attempting to expand the issues in the docket, which they are not permitted to do given their intervenor status. Over NorthWestern’s objection, the Commission granted general intervenor status to the MEIC/SC in this docket. *See* Notice of Commission Action issued August 20, 2014 (“Notice”). As a general intervenor, MEIC/SC is not permitted to expand or broaden the issues in the docket. ARM 38.2.2403 (general intervention is limited to “[a]ny person, other than the original parties to the proceeding, who shall desire to appear and participate in any proceeding before the commission, and who does not desire to *broaden the*

NorthWestern Energy
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Montana Environmental Information Center/Sierra Club
Set 2 (012-032)

Data Requests received October 6, 2014

MEIC-30 cont'd

issues of the original proceeding.") (emphasis added). The Commission reminded the parties of this fact in the Notice: "general intervention is limited to the scope of the original proceeding by definition." See Notice, p. 3.

The MEIC/SC sought general intervenor status in this docket "to demonstrate that NorthWestern Energy has not established that it prudently incurred the costs associated with Colstrip Unit 4." MEIC/SC Petition for General Intervention, p. 3. In their Petition, they unambiguously assert that they would limit their testimony to the issue of "whether NorthWestern Energy's costs due to the Colstrip Unit 4 outage were 'prudently incurred.'" *Id.*, p. 5. Since this data request seeks information regarding the operation of CU4 in the future and does not seek information related to the outage at CU4 or the other issues in this docket, the MEIC/SC are attempting to do exactly what NorthWestern provided that they would do, and what the Commission reminded the parties is impermissible to do, in this case: broaden the issues. The Commission should not permit the MEIC/SC to broaden the issues in this docket with this data request. Therefore, based on the foregoing, the Commission should sustain NorthWestern's objection to MEIC-30.

UPDATED RESPONSE (December 12, 2014):

No.