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

)	REGULATORY DIVISION
IN THE MATTER OF the Request of the Montana)	
Public Service Commission for Havre Pipeline)	DOCKET NO. N2014.11.92
Company Service Quality Information)	
)	DOCKET NO. D2015.3.32

Havre Pipeline Company's Prehearing Memorandum

I. Procedural Background

On November 14, 2014, the Montana Public Service Commission (“Commission”) issued a *Notice of Commission Action* (“Notice”) opening a non-contested docket to inquire into the service quality of natural gas being provided to farm tap customers by Havre Pipeline Company, LLC (“HPC”). The Commission issued the Notice because it believed that five informal service complaints had “not been satisfactorily addressed through the informal Commission complaint process.” The Notice required HPC to file a response “within 20 days of the issuance of this notice to explain what it will do to meet its obligations as a public utility to provide reliable natural-gas service.”

After requesting and being granted an extension to file said response, HPC filed its response on January 5, 2015. After reviewing HPC’s response, the Commission opened Docket No. D2015.3.32 and set an intervention deadline. *See Notice of Commission Action* dated April

1, 2015. The Montana Consumer Counsel (“MCC”) requested and was granted general intervention in this docket.

Pursuant to Amended Procedural Order No. 7413a (“Order 7413a), the MCC filed testimony on July 24, 2015 of Mr. George Donkin. Mr. Donkin’s testimony proposes a three-step plan under which the Commission would treat the five informal complaints as, in effect, a class action lawsuit against HPC and proposes a procedure for establishing compensation for them. HPC filed testimony on September 4, 2015 rebutting Mr. Donkin’s testimony.

Order 7413a, ¶ 19 requires each party to file a prehearing memorandum “listing the following information regarding the hearing: (1) Contested issues; (2) uncontested issues; (3) witnesses it intends to call; (4) exhibits and responses to data requests that it intends to introduce (other than responses to data requests related to additional issues response testimony); and (5) any special accommodations sought regarding witness sequences or scheduling.” HPC submits this prehearing memorandum pursuant to Order 7413a.

II. Issues

Because these two dockets were initiated by the Commission, it is difficult to specifically determine the advocates or the issues. Neither docket appears to be a formal complaint proceeding in which HPC has been directed to answer the complaint of a customer.

Notwithstanding that fact, the Notice provides that the Commission is proceeding to investigate the alleged inadequate service complaints of the five farm tap customers and ordered HPC to respond in 20 days. Docket No. N2014.11.92 would seem to have been completed upon HPC’s submission of its response on January 5, 2015. Pursuant to Order 7413a, the first testimony in this docket was filed by the MCC witness, George Donkin. Presumably, the issues before the

Commission in these two consolidated dockets are now those raised by the testimony of the MCC's witness, Mr. Donkin.

III. Witnesses

HPC intends to call the following witnesses to testify at the hearing:

1. John Alke; and
2. Marc Mallowney.

This docket was initiated by the Commission. HPC did not file initial testimony; it filed testimony rebutting the arguments of the MCC. HPC will call its witnesses listed above after the MCC has called its witnesses.

IV. Exhibits and Evidence

HPC intends to introduce into evidence the following:

1. The prefiled testimonies of each of the witnesses identified above together with the exhibits, if any, attached and incorporated in those testimonies; and
2. Any document needed for impeachment.

HPC will not request that any data request be made part of the evidentiary record at the hearing.

V. Special Needs

There are none.

Respectfully submitted this 2nd day of October 2015.

By: 
Sarah Norcott

Attorney for Havre Pipeline Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of Havre Pipeline Company's Prehearing Memorandum in Docket Nos. D2015.3.32/N2014.11.92 has been hand delivered to the Montana Public Service Commission and the Montana Consumer Counsel, e-filed with the Montana Public Service Commission, and emailed to counsel of record this date. It has also been served upon the remainder of the service list by postage prepaid via first class mail as follows:

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DATED this 2nd day of October 2015.



Connie Moran
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