

Service Date: October 28, 2015

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

IN THE MATTER OF the Petition of ) REGULATORY DIVISION  
Greycliff Wind Prime, LLC to Set Contract )  
Terms and Conditions for a Qualifying Small ) DOCKET NO. D2015.8.64  
Power Production Facility )

**NOTICE OF STAFF ACTION**

On August 20, 2015, Greycliff Wind Prime, LLC (Greycliff) filed a *Petition to Have Commission Set Contract Terms and Conditions Pursuant to MCA § 69-3-603* (Petition) with the Montana Public Service Commission (Commission). The Commission issued a *Notice of Petition and Intervention Deadline* on August 20, 2015, and granted intervention to NorthWestern Energy (NorthWestern) and the Montana Consumer Counsel on September 9, 2015.

On September 10, 2015, the Commission issued *Procedural Order 7436*, setting a deadline of October 2, 2015 for data requests to Greycliff and a deadline of October 16, 2015 for Greycliff to respond. On October 16, 2015, Greycliff filed a response to NorthWestern's data request NWE-013, filed on October 2, 2015. NWE-013 requests hourly production estimates for a minimum of one calendar year for the Greycliff project. Greycliff responded with a statement that the data is privileged and would be the subject of a protective order. Requests for protective orders were due from Greycliff by October 12, 2015. *See Order 7436 ¶ 9* (Sept. 10, 2015).

On October 20, 2015, Greycliff filed a *Motion for Protective Order*. On October 20, 2015, NorthWestern filed a *Motion to Vacate Deadlines in Procedural Order No. 7436* arguing that NorthWestern needs the information responsive to NWE-013 before it can formulate its intervenor testimony, currently due October 30, 2015. *Id.* ¶ 4. Greycliff, on October 22, 2015, filed a *Response to NorthWestern Energy's Motion to Vacate Deadlines in Procedural Order No. 7436*, agreeing that the October 30, 2015 intervenor testimony deadline should be waived, but arguing that there is no reason to vacate the entire schedule. Greycliff has been granted a

protective order and ordered to provide information responsive to NWE-013 by November 2, 2015. *See* Order 7436a ¶ 19 (Oct. 27, 2015). Based upon the foregoing, *Procedural Order 7436* is hereby amended as follows:

- (f) November 4, 2015: Oral argument on Greycliff's *Motion for Summary Judgment*.
- (g) November 9, 2015: Final day for intervenor testimony.
- (h) November 23, 2015: Final day for data requests to intervenors, and for the Commission to identify additional issues.
- (i) December 9, 2015: Final day for intervenors to respond to data requests.
- (j) December 18, 2015: Final day for parties to file pre-hearing memoranda.
- (k) January 11, 2016: Hearing commences.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BRAD JOHNSON, Chairman  
TRAVIS KAVULLA, Vice Chairman  
KIRK BUSHMAN, Commissioner  
ROGER KOOPMAN, Commissioner  
BOB LAKE, Commissioner