

Service Date: November 6, 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, which was 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 was granted a protective

order and ordered to provide information responsive to NWE-013 by November 2, 2015. *See* Order 7436a ¶ 19 (Oct. 27, 2015). On October 28, 2015, the Commission issued a *Notice of Staff Action* amending the procedural schedule. On November 2, 2015, Greycliff filed its *Confidential Response to Data Request NEW-013 and PSC-003*.

NorthWestern has requested further amendment to the procedural schedule. No parties have voiced objection. Therefore, *Procedural Order 7436* and the October 28, 2015 *Notice* are hereby amended as follows:

- (g) November 16, 2015: Final day for intervenor testimony.
- (h) November 25, 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