

Service Date: April 18, 2016

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 17, 2015, Greycliff Wind Prime, LLC (“Greycliff”) filed with the Montana Public Service Commission (“Commission”) a *Petition to Have Commission Set Contract Terms and Conditions Pursuant to MCA 69-3-603* (“Petition”). On August 20, 2015, the Commission issued a *Notice of Petition and Intervention Deadline*, with an intervention deadline of September 3, 2015. On September 4, 2015, Greycliff filed with the Commission a *Motion for Summary Judgment on the Legal Issue of Whether NorthWestern Energy has an Obligation to Negotiate in the Absence of All Source Competitive Solicitation Set Forth in ARM 38.5.1902(5)*. On September 9, 2015, the Commission granted intervention to the Montana Consumer Counsel (“MCC”) and NorthWestern Energy (“NorthWestern”). On September 10, 2015, the Commission issued *Procedural Order 7436*.

On September 18, 2015, Greycliff filed the *Prefiled Direct Testimony of Robert Stanton Walker*. After Greycliff’s *Motion for Summary Judgment* was fully briefed, the Commission held an oral argument on November 4, 2015. On January 15, 2016, the Commission issued *Order No. 7463b*. In *Order No. 7463b* the Commission denied Greycliff’s *Motion for Summary Judgment* and directed NorthWestern and Greycliff to negotiate for at least thirty days "in an effort to mutually agree to contract terms and conditions, including an avoided cost rate, beginning on the service date of this Order". Order No. 7463b ¶ 23 (Jan. 15, 2016).

The parties concluded their negotiations and on March 25, 2016, the Commission issued *Amended Procedural Order 7436c*, which set a deadline of April 20, 2016 for NorthWestern to respond to discovery issued by April 8, 2016. By stipulation of the parties, NorthWestern may

file its response to PSC-052(b) on or before April 27, 2016. Additionally, the additional issues deadline is hereby amended to be May 4, 2016.

BY THE MONTANA PUBLIC SERVICE COMMISSION

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