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Montana PSC seeks public hearing, financial transparency for Kerr Dam operator

HELENA, Mont. –October 1, 2015– Citing the need for increased transparency and public input, the Montana Public Service Commission submitted a renewed request to the Federal Energy Regulatory Commission Thursday for public hearings to determine if the public interest standard was met in the licensing of Energy Keepers Inc. to manage Kerr Dam.

In the request to FERC for a rehearing of the licensing of Energy Keepers Inc. to operate the dam, the PSC highlights two primary concerns with the proceeding:

- FERC erred by not setting a hearing to determine if the transfer of the license for the Kerr project is in the public interest consistent with Section 8 of the Federal Power Act.
- FERC erred by not scheduling a hearing as there are issues of material fact about the lack of financial transparency of Energy Keepers.

Speaking to the Commission's action, PSC Chairman Brad Johnson, R-East Helena, said,

"Our primary concern with the transfer of Kerr Dam is to determine if it is in the public's interest, and FERC's proceeding left far too many unanswered questions. Those living in the communities affected by this transfer must have ample opportunity to ask questions and provide input, and this proceeding fell short of that standard."

"FERC's hasty actions appear to be driven more by politics than by thorough process and sound judgment," said Commissioner Roger Koopman, R-Bozeman. "The open public vetting of issues is a cherished tradition in Montana, viewed by our people as both a cultural norm and a constitutional right. FERC has ignored this, and has so "federalized" the matter, without listening to local concerns, that both stakeholders and Montanans in general feel utterly removed from the process. This is not good government."

"It's my primary concern that the operation of Kerr Dam continues to fulfill the original purpose for its construction," said Commissioner Bob Lake, R-Hamilton. "The original terms of the construction and licensing of Kerr Dam were intended to advance the development of the reservation by addressing increased agrarian impact with a reliable irrigation source, and to provide reliable and affordable power. It's important that the original purpose for the construction of the dam will continue to be part of the agreement under Energy Keepers' management."

Attached is a full copy of the PSC's request for reconsideration to FERC.

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