

*Montana PSC – One Week Calendar of Scheduled Events
(This is not an official schedule of PSC activities)*

May 10 - 14, 2021

MONDAY 10	9:00 AM – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom)
TUESDAY 11	<p>9:00 AM – WEEKLY SCHEDULING MEETING (No web/audio feed) 9:30 AM – BUSINESS MEETING (Conducted using Zoom) Call To Order Pledge of Allegiance Public Comment – Please call the Consumer Assistance Line at 800-646-6150 and follow the directions provided on page nine of the Agenda. Announcement of Changes to the Agenda Action Items:</p> <ol style="list-style-type: none"> 1. Approval of Commission Minutes for the week of May 4, 2021. <p>Work Sessions:</p> <ol style="list-style-type: none"> 1. 2020.08.091 – NorthWestern Energy – NorthWestern Energy’s Annual PCCAM Filing and Application for Approval of Tariff Changes – To consider the hearing examiner’s proposed final order. 2. 2021.04.060 – NorthWestern Energy – NorthWestern Energy’s Request for Waiver of Mont. Admin. R. 38.5.1910(2) – To consider NorthWestern Energy’s Request for Waiver of Mont. Admin. R. 38.5.1910(2). <p>Continued – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom)</p>
WEDNESDAY 12	Continued – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom)
THURSDAY 13	Continued – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom)
FRIDAY 14	

9:30 AM Tuesday, May 18, 2021, Commission Business Meeting

MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 21-05-11

Date Published: May 7, 2021
For Week Commencing: May 10, 2021

Place of Meetings: All meetings are usually held at the Commission's office, 1701 Prospect Avenue, in Helena, Montana. However, due to the directives resulting from COVID-19, the Scheduling and Business Meetings will be held through Zoom until further notice.

Commission Meetings:

Commission Scheduling Meeting: Tuesday, May 11, 2021, 9:00 a.m.
Commission Business Meeting: Tuesday, May 11, 2021, 9:30 a.m.

Action Items

All items identified below are for action at the Commission's Business Meeting this week:

1. Approval of Commission Minutes (Patricia)

Approval of the Commission Minutes for the week of May 4, 2021.

Work Sessions

All items identified below are for Commission discussion or action at the Commission's Business Meeting this week:

1. 2020.08.091 – NorthWestern Energy – NorthWestern Energy's Annual PCCAM Filing and Application for Approval of Tariff Changes – To consider the hearing examiner's proposed final order. (05/11/21)
2. 2021.04.060 – NorthWestern Energy – NorthWestern Energy's Request for Waiver of Mont. Admin. R. 38.5.1910(2) – To consider NorthWestern Energy's Request for Waiver of Mont. Admin. R. 38.5.1910(2). (05/11/21)

Other Meetings:

1. 05/10/21, 9:00 AM – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom).
2. 05/11/21, Continued – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom).

3. 05/12/21, Continued – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom)..
4. 05/13/21, Continued – Hearing – 2020.12.126 – Jawbone Holdings LLC – Jawbone Holdings Petition to Set Terms & Conditions for Qualifying Small Power Production Facility Pursuant to M.C.A. § 69-3-603 (Conducted using Zoom).

Notice Items: All items identified below are noticed for public involvement purposes. Unless otherwise stated in the text of the Notice, the items will be action items on a subsequent Agenda. Public Comments on this Agenda's items need to be submitted within 5 calendar days following publication of this Agenda. Public comments on a noticed matter must be submitted within the required deadline provided in the Notice. Please refer to the "Public Involvement" item in this Agenda for options and assistance.

1. Hot Springs Telephone / Level 3 2021.03.033 (Mike)

Hot Springs Telephone and Level 3 Communications have filed for approval with the Montana Public Service Commission ("Commission") an Interconnection Agreement ("Agreement"). The Agreement was voluntarily negotiated by both parties. The Agreement is available for viewing on the Commission website or at the Commission office in Helena. Interested persons may submit comments to the Commission no later than May 25, 2021 through the Commission website or mail comments to the Commission at 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601. Any comments that are submitted through mail must clearly identify the docket number in question.

2. New Cingular Wireless and Range Telephone 2021.04.048 (Mike)

New Cingular Wireless and Range Telephone have filed for approval with the Montana Public Service Commission ("Commission") an Interconnection Agreement ("Agreement"). The Agreement was voluntarily negotiated by both parties. The Agreement is available for viewing on the Commission website or at the Commission office in Helena. Interested persons may submit comments to the Commission no later than May 25, 2021 through the Commission website or mail comments to the Commission at 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601. Any comments that are submitted through mail must clearly identify the docket number in question.

3. Northern Telephone and Level 3 2021.04.054 (Mike)

Northern Telephone and Level 3 Communications have filed for approval with the Montana Public Service Commission ("Commission") an Interconnection Agreement ("Agreement"). The Agreement was voluntarily negotiated by both parties. The Agreement is available for viewing on the Commission website or at the Commission office in Helena. Interested persons may submit comments to the

3. NorthWestern Energy 2021.02.022 (Luke)

- a) On March 17, 2021, Westmorland Rosebud Mining LLC (“Westmorland”) filed a Motion for a Protective Order seeking protection of the following information: confidential information contained within its 2020 Coal Supply Agreement. Westmorland asserts this information is confidential as a matter of federal and state law. Westmorland requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- b) On April 29, 2021, Origis Energy USA, Inc. (“Origis”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Origis to NorthWestern in connection with the foregoing docket. Origis asserts the information constitutes trade secret information or is otherwise legally protectable. Origis requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- c) On April 29, 2021, Barnard Construction Company, Inc. (“Barnard”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Barnard to NorthWestern in connection with the foregoing docket. Barnard asserts the information constitutes trade secret information or is otherwise legally protectable. Barnard requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- d) On April 30, 2021, Able Grid Development Montana, LLC (“Able”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Able to NorthWestern in connection with the foregoing docket. Able asserts the information constitutes trade secret information or is otherwise legally protectable. Able requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- e) On April 30, 2021, Enel X North America, Inc. (“Enel X”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Enel X to NorthWestern in connection with the foregoing docket. Enel X asserts the information constitutes trade secret information or is otherwise legally protectable. Enel X requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.

- f) On April 30, 2021, NextEra Energy Resources Development, LLC (“NextEra”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by NextEra to NorthWestern in connection with the foregoing docket. NextEra asserts the information constitutes trade secret information or is otherwise legally protectable. Next Era requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- g) On April 30, 2021, Powerex Corp. (“Powerex”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Powerex to NorthWestern in connection with the foregoing docket. Powerex asserts the information constitutes trade secret information or is otherwise legally protectable. Powerex requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- h) On April 30, 2021, Caithness Montana Energy Storage, LLC (“Caithness”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Caithness to NorthWestern in connection with the foregoing docket. Caithness asserts the information constitutes trade secret information or is otherwise legally protectable. Caithness requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- i) On April 30, 2021, Basin Creek Energy Partners, LLC (“Basin Creek”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Basin Creek to NorthWestern in connection with the foregoing docket. Basin Creek asserts the information constitutes trade secret information or is otherwise legally protectable. Basin Creek requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- j) On April 30, 2021, Mitsubishi Power Americas, Inc., f/k/a Mitsubishi Hitachi Power Americas, Inc. (“Mitsubishi”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Mitsubishi to NorthWestern in connection with the foregoing docket. Mitsubishi asserts the information constitutes trade secret information or is otherwise legally protectable. Mitsubishi requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.

- k) On April 30, 2021, GB Energy Park Holdings, LLC (“GB Energy”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by GB Energy to NorthWestern in connection with the foregoing docket. GB Energy asserts the information constitutes trade secret information or is otherwise legally protectable. GB Energy requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- l) On April 30, 2021, Copper Energy Storage, LLC (“Copper Energy”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Copper Energy to NorthWestern in connection with the foregoing docket. Copper Energy asserts the information constitutes trade secret information or is otherwise legally protectable. Copper Energy requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- m) On April 30, 2021, Tyr Energy, Inc. (“Tyr Energy”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Tyr Energy to NorthWestern in connection with the foregoing docket. Tyr Energy asserts the information constitutes trade secret information or is otherwise legally protectable. Tyr Energy requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- n) On April 30, 2021, Clearway Energy Group LLC (“Clearway Energy”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Clearway Energy to NorthWestern in connection with the foregoing docket. Clearway Energy asserts the information constitutes trade secret information or is otherwise legally protectable. Clearway Energy requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- o) On April 30, 2021, Invenergy Renewables LLC (“Invenergy”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Invenergy to NorthWestern in connection with the foregoing docket. Invenergy asserts the information constitutes trade secret information or is otherwise legally protectable. Invenergy requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.

- p) On April 30, 2021, Broadview Solar and Broadview Solar II (“Broadview Projects”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material in connection with proposals submitted by Broadview Projects to NorthWestern in connection with the foregoing docket. Broadview Projects asserts the information constitutes trade secret information or is otherwise legally protectable. Broadview Projects requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.
- q) On May 4, 2021, BrightNight Corp. (“BrightNight”) filed a Motion for a Protective Order seeking protection of Confidential Bid Proposal Material for proposals submitted by BrightNight to NorthWestern in connection with the foregoing docket. BrightNight asserts the information constitutes trade secret information or is otherwise legally protectable. BrightNight requests an order of the Commission protecting that information from public disclosure, pursuant to Mont. Admin. R. 38.2.5001 et seq., prior to producing the information.

4. Energy West Montana & Cut Bank Gas Company 2021.01.015 (Zack)

On April 27, 2021, Ullico Infrastructure Master Fund, LP, and its general partner, UIF GP, LLC, filed a motion for protective order with the Commission, seeking protection of certain financial, organizational, and other allegedly confidential and proprietary information in response to MCC-002, -003, -004, -007(b), and -014, and confidential information subject to alleged right of individual privacy in response to MCC-004.

Protective Orders – Information Items: The Commission has issued the following Protective Order(s). These Order(s) may be challenged pursuant to Mont. Admin. R. 38.2.5008. Copies of the Order(s) may be viewed on the Commission’s website <http://psc.mt.gov>.

None.

Information Items: All items identified below are for *information only*.

None.

New Regulatory Filings Received in Past Week:

1. 2021.04.060 – NorthWestern Energy Inc. (NorthWestern Energy) – Request for Immediate Discretionary Waiver of Admin. R. Mont. 38.5.1910(2).
2. 2021.04.061 – Energy West Montana Inc. – April 2021 Monthly Tracker Filing.

New Transportation Filings Received in Past Week:

1. 2021.05.062* – Bestway Taxi, LLC (Badlands Taxi) – Petition of Cancellation of Authority.

General Information: This is the Commission's Agenda for the week designated above. The Agenda is posted a week in advance on the public information bulletin board at the Commission's office, is emailed to all persons who have requested notice by email, and is posted on the Commission's website <http://psc.mt.gov>.

Public Involvement: The Commission invites the public's involvement in its proceedings. Options are:

- (1) provide written comments at the Commission's website <http://psc.mt.gov>, select "Documents & Proceedings" Tab; select "Comment on a Proceeding", select "Continue as Guest", complete form, select "Submit";
- (2) get on the Commission's "Watch List" for a Docket at the Commission's website <http://psc.mt.gov>, select "EDDI" icon on the main page, create an account for "ePass", under "Watch List" Tab enter the Docket number—the Commission's case you are interested in following;
- (3) **beginning April 7, 2020, until further notice, listen to the meeting's "Live Webcast" from your computer at <http://psc.mt.gov/livestream>; there is no video, only audio.** Please note that if the Commission takes a break and the live stream ends, it needs to be refreshed in the user's browser or restarted once the break is over. However, if the stream is refreshed/restarted too early, it will just loop the end of the previous stream (in this case, you will need to refresh again after the new stream has started).
- (4) **attending a Commission meeting in person and providing comments is suspended until further notice; however,** the following process will be utilized for those wishing to provide public comment:
 - a. Please call the Commission's toll-free number at 800-646-6150. You will need to leave a message. A Consumer Assistance Representative will return your call.
 - b. You need to call the Commission's toll-free number by 4:30 p.m. on the day before the scheduled Business Meeting so there is sufficient time for a Consumer Assistance Representative to return your call.
 - c. When your call is returned, you will need to provide your name; the docket number or a description of the docket on which you wish to provide comment; your phone number; and your email address.
 - d. You will be given an identifier, such as "Commenter 1, 2, etc." This identifier will be how you are recognized to provide public comment during the business meeting.

- e. Once you have provided public comment at the business meeting, you will no longer be able to provide public comment. You may stay in the meeting, or you may leave the meeting and continue to listen in on the Commission's live stream.
 - f. You may also provide written comments as outlined in paragraph (1) under "Public Involvement." These comments are not made publicly available, but are provided to the docket work team and Commissioners.
- (5) sign up on the Commission's "Lyris List" to receive Notices by email for the following categories: Rules, Motor Carrier, Energy West Applications, MCC & PSC Taxes, MDU Applications, NorthWestern Energy Applications, PSC Orders, Telecommunications Applications, PSC Agendas, and PSC Hearings.
- (6) mail written comments to the Commission's office, 1701 Prospect Ave., P.O. Box 202601, Helena, MT 59620-2601;
- (7) contact your District's Commissioner; and
- (8) contact the Commission's Consumer Assistance staff at 1-800-646-6150 or email pschelp@mt.gov. They are happy to assist you!

Live Webcast: Beginning April 7, 2020, visit <http://psc.mt.gov/livestream> to listen to the livestream of Commission's meetings and hearings. Because they will be conducted using Zoom, only audio will be available to the public until further notice.

Inquiries: For general inquiries concerning this Agenda, contact Amber Koop at (406) 444-6199 or the Commission's Consumer Assistance Staff at 1-800-646-6150.

Accommodations for Individuals: Individuals needing accommodations to attend or participate at a Commission meeting or hearing may contact the Commission's Consumer Assistance Staff at 1-800-646-6150 or by email pschelp@mt.gov prior to the meeting or hearing. The Commission will make every effort to provide assistance.

****Qualifies for Staff Action. Upon receipt of a written request by a Commissioner or an interested person submitted within five (5) business days of the date published on this Agenda, the Commission will review this item.***