

MECroots Newsletter

The Grassroots Communicator for Missoula Electric Cooperative

Volume 3, Issue 1

Spring 2016

CO-OPS LAUNCH NON-PARTISAN VOTER ENGAGEMENT PROGRAM

America's electric cooperatives have launched a non-partisan, nationwide effort to promote civic engagement and voter participation in the communities they serve.

Jeffrey Connor, interim CEO of the National Rural Electric Cooperative Association, unveiled the Co-ops Vote program at the association's 74th annual meeting in New Orleans.

"Through Co-ops Vote, we want to help our members know when elections are, what's at stake and how to make their voices heard," Connor said. "Who folks vote for isn't really as important as the fact that they do vote."

The Co-ops Vote initiative will focus on eight issues that are important to health and prosperity of communities served by electric cooperatives:

- Rural Broadband Access
- Hiring and Honoring Veterans
- Low-Income Energy Assistance
- Cybersecurity
- Water Regulation
- Rural Health Care Access
- Affordable and Reliable Energy
- Renewable Energy

"Electric cooperatives are perfectly designed to help address these important issues," Connor said. "We can make politics 'local' again because civic engagement is part of our DNA."

A new website, vote.coop, offers co-op members information on the voter registration process in their state, dates of elections, information on the candidates running in those elections, and explanations of the eight key issues the campaign aims to address.

In keeping with its non-partisan goals, the initiative will not be endorsing specific candidates for office.

Mel Coleman, president of NRECA and CEO of North Arkansas Electric Cooperative said the program would help ensure the voices of rural Americans are heard.

"We want to make sure our government knows that rural America matters," Coleman said. "This campaign isn't about divisive, partisan issues. It's about real people in real places facing real challenges. It's about our co-ops living out the principles of our movement: Concern for community and democratic control."

Connor cited partisan gridlock in Washington, the explosive

growth of money in politics and the effects of gerrymandering as important reasons for launching the program. In 2014, 318 of 435 House races had a margin of victory of 20 points or more, and 30 House candidates – 16 Democrats and 14 Republicans representing 11 states – didn't even face an opponent in the general election.

"Elections aren't won and lost in November anymore," Connor said. "They're really decided in primaries months sooner, when fewer voters recognize the opportunity to vote, fewer participate and only a handful of issues are up for debate."

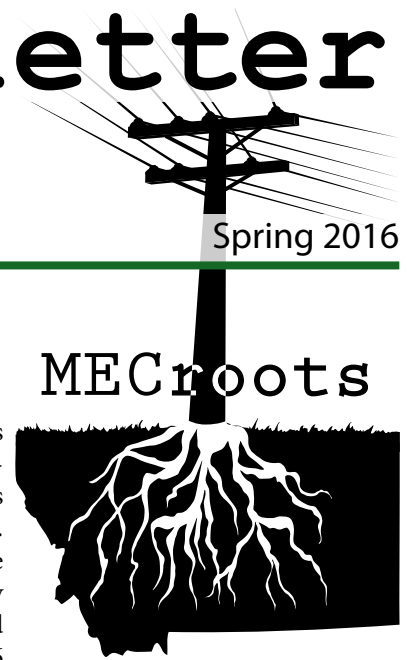


This results in a Congress where more members represent the extremes of each political party and are less inclined to seek compromise and bipartisan solutions to problems.

"The electric cooperative movement has always been non-partisan, and our communities are facing too many challenges to have a government crippled by bickering," Coleman said. "When our parents and grandparents set out to electrify rural America, they didn't have time to ask the person next to them about their views on economic or social policy. Their economic policy was 'we need to save this community' and their social policy was 'let's do it together.' I hope the Co-ops Vote program can help rekindle that spirit of cooperation."

For more information about Co-ops Vote and the impact of these eight key issues on the people of Western Montana, contact MEC or visit vote.coop.

source: NRECA



LEGISLATIVE UPDATE

By Gary Wiens, MECA

With each edition of the MECroots Newsletter, we will include a legislative update from the Montana Electric Cooperatives' Association (MECA). The staff at MECA work hard to keep up with the ever-changing legal and regulatory changes and the potential effects on member cooperatives. Here is a recap of MECA's most recent legislative update.

GOOD NEWS ON CLEAN POWER PLAN RULES TEMPERED BY DEATH OF SUPREME COURT JUSTICE

In a huge win for electric co-ops, the U.S. Supreme Court on Feb. 9 issued an unprecedented order to stay EPA's Clean Power Plan (CPP). However, the victory was tempered just days later with news that Justice Antonin Scalia — a key conservative on the high court — had died. Justice Scalia was among the five justices who voted to put the regulation on hold, and he also was expected to vote against its legality.

Nevertheless, the Supreme Court's decision was unprecedented. Never before has the Supreme Court put a regulation on hold before the lower court has reviewed the case. The decision means that all legal and regulatory obligations of affected parties and states are on hold until the legal challenges are resolved. The decision means co-ops will not have to make costly, irrevocable decisions on how to comply with the law in the near term while the courts decide the legality of the regulation.

The D.C. Circuit Court of Appeals will still hear arguments on the merits of the case on June 2, and is expected to decide the case in the summer or early fall. The Supreme Court could then

take up the case in the winter of 2016, and issue a final decision in June 2017.

It's also possible the Supreme Court review could slip into 2017, with a final decision by 2018.

But the CPP's success could depend on who replaces Justice Scalia. All eyes are on a brewing battle between the Obama administration and Senate Republicans, who have said they will refuse to approve a nominee to take Justice Scalia's spot until after the presidential election.

In Montana, Gov. Steve Bullock responded to the stay by putting on hold his Clean Power Plan advisory council, which had been appointed to help craft recommendations on state compliance with the regulations. Following suit, the Legislature's 111(d) interim subcommittee decided to suspend its work pending resolution of the CPP in the courts.



CO-OPS FACE STRICT FEDERAL ROBO-CALLING REQUIREMENTS

At Missoula Electric Cooperative (MEC), maintaining good communication with you, our member, is top priority. Advancements in technology offer more options for keeping lines of communication open, but many businesses are required to operate within the boundaries set by law and regulation — such as those issued by the Federal Communication Commission (FCC). In particular, FCC regulations control the use of auto-dialed and prerecorded calls — sometimes called “robo-calls” — sent to land lines and cell phones.

The steps MEC must take to comply with FCC requirements stem from the Telephone Consumer Protection Act of 1991, which was designed to help consumers avoid unwanted telephone solicitations. Over the years, the FCC has made it clear that this law also applies to robo-calls and texts sent to wireless devices. The bottom line: MEC may use robo-calls/texts to communicate with members if the requisite consent was given prior to placing the call or text, or if there is an “emergency purpose.”

This gets tricky when a co-op discontinues use of a cell phone number that is subsequently assigned to a non-member. How does a caller determine that a number has been reassigned? We could face possible violations of \$500 per violation, or \$1,500 if the violation is found to be willful. The FCC may issue penalties of \$16,000 for each violation.

So how do the FCC requirements affect you as a co-op member? Important notifications that we use to communicate with you,

such as notice of maintenance work, pending outages, past due reminders and disconnect notices, could be considered violations.

MEC is working with the National Rural Electric Cooperative Association (NRECA) on this issue, and comments have been submitted to the FCC. Still pending before the Commission is a petition by the Edison Electric Institute and American Gas Association arguing that by simply providing a utility a phone number constitutes consent to receive non-telemarketing service-related calls.

We understand the importance of our members being able to receive information from the co-op., and it is our hope that the FCC will issue a new order addressing these issues by the end of the year. We will keep you updated on this important issue, but in the meantime, let's keep the lines of communication open. Stop by our office, call or email us, and make sure we have your current contact information on file.



STATEWIDE ASSOCIATION URGES RELEASE OF SAGE GROUSE BREEDING SITES ON POWER PROJECTS

Some Montana electric cooperatives have been reporting difficulties obtaining information about the location of sage grouse breeding areas - known as leks - prior to siting routes for new power lines or conducting power line maintenance work.

In response, MECA last week testified about these problems before the Montana Sage Grouse Oversight Team (MSGOT), which is overseeing implementation and operation of Montana's sage grouse management plan. MSGOT's membership is comprised of key state officials, including the governor's top natural resources advisor, as well as directors of the state Fish, Wildlife & Parks, the Department of Natural Resources and Conservation, and the state Department of Environmental Quality, among others.

In our testimony, we talked about the wasted time and resources that a co-op experiences when it works to site a power line and then, after submitting its plan to the state, the co-op finds out its proposed route will have to be re-routed because part of the route is located too close to a lek. We indicated this rerouting can jeopardize an entire project because it often requires having to renegotiate

power line easements with private landowners. In addition, we noted that the siting of a power line without knowledge of lek locations can unnecessarily harm leks. That's because co-op line personnel have to use vehicles to crisscross the land in order to stake the power line's path.

We urged the state to consider releasing lek locations before all this work is undertaken, and we were pleased with the response we received. A state FWP official told us after the meeting that she would work with the electric cooperatives to release this information prior to siting a power line.

Although, initially, this information can only be released on a project-by-project basis, she said she would work with MECA to seek blanket release of this information for all of our co-ops.



ETIC VOTES TO EXCLUDE ELECTRIC CO-OPS ON STUDY OF NET-METERING EXPANSION

A positive development in our electric co-ops' efforts to retain local control on decisions related to net metering occurred at the meeting Friday, March 11, of the Legislature's Energy and Technology Interim Committee (ETIC).

The committee voted unanimously by voice vote that "the (state's) net-metering policy should not be extended to apply to electric cooperatives."

Sen. Robyn Driscoll, D-Billings, made the motion, emphasizing electric co-ops are not regulated by the state Public Service Commission. Sen. Pat Connell, R-Hamilton; Rep. Tom Steenberg, D-Missoula; and Sen. Duane Ankney, R-Colstrip, all expressed support for the motion in brief comments leading up to the vote. "I think the co-ops are a different animal," said Rep. Steenberg, noting the co-ops are overseen by their membership boards and the size of their memberships vary considerably. Sen. Ankney re-

iterated our co-ops are run by their member boards, saying net-metering decisions should be left to these boards. He pointed out co-ops have policies on net metering.

Committee Chairman Keith Regnier, R-Kalispell, then asked MECA whether all co-ops have policies on net metering, and was told by MECA lobbyist Doug Hardy that, although these policies vary somewhat from co-op to co-op, all of them accommodate net metering.

The unanimous vote came after committee members were told that NorthWestern Energy and the Montana Renewable Energy Association have been working on a potential agreement on changes in the state's net-metering law. MREA's membership is comprised primarily of renewable energy system installers and developers. Spokespersons for both entities said no agreement had yet been reached on specifics but progress is being made. They indicated the goal is to jointly present a strawman proposal no later than the committee's July meeting. NWE's Pat Corcoran expressed confidence in the negotiations, saying, "It's not a matter of if (a joint proposal can be developed), but when." However, he emphasized in testimony before the committee that both sides will have to "give to get," explaining that the parties must make concessions.

In a related matter, PSC Vice Chairman Travis Kavulla told the committee that regardless of whether the committee moves forward with legislation, growth in net metering at NorthWestern Energy means the PSC will likely soon have to take up the issue. He said NWE recently filed documents showing that the utility now has more than 1,500 net meterers on its system, a number he said was much larger than what the PSC had thought were on the system.

