



January 30, 2024

via eTariff

Debbie-Anne A. Reese, Acting Secretary  
Federal Energy Regulatory Commission  
888 First Street N.E.  
Washington, DC 20426

Re: *NorthWestern Energy Public Service Corporation*, Notice of Succession, ER24-\_\_\_\_-000

Dear Acting Secretary Reese:

Pursuant to 18 C.F.R. § 35.16 of the Federal Energy Regulatory Commission's ("FERC" or "Commission") regulations, NorthWestern Energy Public Service Corporation ("NWPS") hereby submits this baseline eTariff database, Notice of Succession, and the tariff records for all the rate schedules (collectively, "agreements") to which it is succeeding. Pursuant to an internal corporate restructuring, effective January 1, 2024, NorthWestern Corporation and NWPS became separate public utilities under the same holding company, NorthWestern Energy Group, Inc. The existing rate schedules relating to NorthWestern Corporation's South Dakota operations, some of which are on file in NorthWestern Corporation's Other Rate Schedules (Tariff ID 42) database, shall be succeeded to by NorthWestern Energy Public Service Corporation. Those agreements that are on file with the Commission will be included in a new NWPS database – Rate Schedules, Agreements and Other Tariffs (Tariff ID 49).

## I. Background

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NWPS is a recently created public utility engaged in the generation, transmission, and distribution of electricity and the supply, transportation and distribution of natural gas. NWPS is a local distribution company serving customers in South Dakota and Nebraska. NWPS was created as part of NorthWestern Corporation's planned internal corporate restructuring, which the Commission approved under FPA Section 203 in Docket No. EC22-72-000.<sup>1</sup> Pursuant to the restructuring and effective January 1, 2024, NWPS became a wholly-owned subsidiary of NorthWestern Energy Group, Inc. and assumed NorthWestern Corporation's assets, debt, service

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<sup>1</sup> *NorthWestern Corp.*, Order Authorizing Disposition of Jurisdictional Facilities, 181 FERC ¶ 61,161 (Nov. 29, 2022).



obligations and operations in South Dakota and Nebraska, and NorthWestern Corporation retained its existing assets, debt, service obligations and operations in Montana.

NWPS is a transmission-owning member of the Southwest Power Pool, Inc. ("SPP") and SPP functionally controls NWPS's transmission facilities. Service over NWPS's transmission assets are available under the SPP Open Access Transmission Tariff, which is on file with the Commission.

## II. Description of Filing

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In this filing, NWPS is submitting the new baseline eTariff database "Rate Schedules, Agreements and Other Tariffs" (Tariff ID 49). As reflected in the Notice of Succession, NWPS is succeeding to all filed FERC-jurisdictional agreements that relate to South Dakota operations. The existing agreements required to be on file are being moved to the new NWPS eTariff database (Tariff ID 49), to reflect the corporate restructuring of NorthWestern. No changes to the language of the agreements are being made. A list of the South Dakota tariff records being succeeded from the existing "NorthWestern Corporation – Other Rate Schedules" database (Tariff ID 42) to the new NWPS Tariff ID 49 database, as well as the new tariff records being created to reflect "paper-filed" agreements that were never included in eTariff is attached as Attachment A. There are four rates schedules that were previously filed with the Commission that have not been amended since the inception of eTariff. These agreements are now being added into Tariff ID 49. NorthWestern Corporation is also concurrently submitting a Notice of Cancellation of the relevant South Dakota tariff records in Tariff ID 42.

In accordance with other Notice of Succession filings,<sup>2</sup> NWPS has included a new cover on the rate schedules indicating that it has succeeded to them, but has not changed the text of the documents themselves, except where necessary to restate the document for the inclusion of amendments. Thus, NWPS seeks a waiver of the need to include a Marked Tariff Attachment for each of the documents where only an additional cover has been added.

## III. Proposed Effective Date & Request for Waiver

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Pursuant to 18 C.F.R. § 35.11, NWPS respectfully requests waiver of the prior notice filing requirement under 18 C.F.R. § 35.3 to permit an effective date of January 31, 2024, (*i.e.*, one day after filing). Good cause exists to waive the prior notice requirement because NWPS is not

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<sup>2</sup> See *Entergy Louisiana, LLC*, Docket No. ER16-218; *Midcontinent Independent System Operator, Inc.*, Docket No. ER14-689-000; *NSTAR Electric Company*, Docket No. ER18-749-000.



submitting revisions to any tariff, service agreement, or rate schedule as part of this proceeding; rather, NWPS is succeeding to the existing filed jurisdictional agreements. NWPS took ownership of the rate schedules under the new tariff January 1, 2024. The Commission has granted a waiver in similar circumstances.<sup>3</sup>

## IV. Contents of Filing

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This filing establishes new Tariff ID 49 and includes the following documents:

- a. This transmittal letter;
- b. Attachment A, list of tariff records being succeeded from Tariff ID 42 to Tariff ID 49 as well as the new tariff records for “paper-filed” agreements being succeeded to;
- c. Clean tariff attachment in pdf format;
- d. An eTariff XML filing package; and
- e. A Notice of Succession covering all filed jurisdictional agreements that are being succeeded to.

## V. Communications and Service

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Communications concerning this filing should be directed to the following persons, who should be included on the official service list compiled by the Secretary in this proceeding:

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<sup>3</sup> See *Omnis Pleasants, LLC*, Docket No. ER23-2760-000; *CPV Saddleback Ridge Wind, LLC*, Docket No. ER23-1918-000; *Scrubgrass Reclamation Company, L.P.*, Docket No. ER23-180-000.



Pursuant to 18 C.F.R. § 385.2010(f)(i) of the Commission's regulations, a copy of this filing is being served by electronic means on all counterparties to the NWPS rate schedules that are covered by the Notice of Succession, and to the South Dakota Public Utilities Commission.

## VI. Conclusion

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For the reasons stated herein, NWPS respectfully requests that the Commission issue an order accepting this filing. If you have any questions or concerns about this filing, please do not hesitate to contact the undersigned.

Respectfully submitted,

*s/ Melissa M. Crosby*

**Melissa M. Crosby**

*Manager - FERC Compliance and Policy*

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**Attachment A**

**Organization:** NorthWestern Energy Public Service Corporation

**New Tariff ID:** 49

**Tariff Title:** Rate Schedules, Agreements and Other Tariffs

**Program Code:** E - Federal Power Act Electric (Traditional Cost of Service and Market Based Rates) Public Utility

Existing Northwestern Corporation Tariff ID 42 (Other Rate Schedules)			New NorthWestern Energy Public Service Corporation Tariff ID 49 (Rate Schedules, Agreements and Other Tariffs)		
Existing Tariff Record Title	Record ID	Immediate Parent ID	New Tariff Record Title	New Record ID	Immediate Parent ID
Rate Schedules - South Dakota	3649	N/A	Rate Schedule	3910	N/A
n/a - pre-eTariff			RS 15 - Interconnection & Interchange Agreement	3912	3910
n/a - pre-eTariff			RS 31 - System Interconnection Agreement	3915	3910
n/a - pre-eTariff			RS 33 - Emergency Interconnection & Wheeling Agreement	3916	3910
RS 37 -SD- East River Emergency Service Agreement	3655	3649	RS 37 - East River Emergency Service Agreement	3917	3910
Exhibit B - Interconnection Drawings	3845	3655	Exhibit B - Interconnection Drawings	3918	3917
RS 38-SD - NWE-SD Agreements with WAPA	3650	3649	RS 38 - NWE-SD Agreements with WAPA	3919	3910
Contract for Interconnection and Tie Lines (SD)	3653	3650	Contract for Interconnection and Tie Lines (SD)	3920	3919

Existing Northwestern Corporation Tariff ID 42 (Other Rate Schedules)			New NorthWestern Energy Public Service Corporation Tariff ID 49 (Rate Schedules, Agreements and Other Tariffs)		
Existing Tariff Record Title	Record ID	Immediate Parent ID	New Tariff Record Title	New Record ID	Immediate Parent ID
Contract for Consolidated Facility Arrangements (SD)	3657	3650	Contract for Consolidated Facility Arrangements (SD)	3921	3919
General Interconnection Contract Provisions	3660	3650	General Interconnection Contract Provisions	3922	3919
n/a - pre-eTariff			RS 30 - Transmission Facilities & Operating Agreement	3914	3910
RS 39-SD Big Stone Plant Transmission Facilities Agreement	3663	3649	RS 39 - Big Stone Plant Transmission Facilities Agreement	3923	3910
RS 40-SD - Coyote 1 Transmission Facilities Agreement	3664	3649	RS 40 - Coyote 1 Transmission Facilities Agreement	3924	3910
RS 41 -SD - ESA with East River and City of Miller	3802	3649	RS 41 - ESA with East River and City of Miller	3925	3910

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**NOTICE OF SUCCESSION**

NorthWestern Energy Public Service Corporation, with a principal place of business in Sioux Falls, South Dakota, as of the 1<sup>st</sup> day of January 2024, hereby adopts, ratifies, and makes its own, in every respect the following rate schedules<sup>1</sup> and agreements formerly of NorthWestern Corporation:

- RS 37 -SD- East River Emergency Service Agreement
- RS 38 - NWE-SD Agreements with WAPA
- RS 30 - Transmission Facilities & Operating Agreement
- RS 39 - Big Stone Plant Transmission Facilities Agreement
- RS 40 - Coyote 1 Transmission Facilities Agreement
- RS 41 - ESA with East River and City of Miller
- RS 15 - Interconnection & Interchange Agreement
- RS 31 - System Interconnection Agreement
- RS 33 - Emergency Interconnection & Wheeling Agreement

NorthWestern Energy Public Service Corporation

*/s/ Melissa M. Crosby*

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<sup>1</sup> Identified by their existing or proposed eTariff "Tariff Record Title."