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Clark Fork Coalition files to intervene in PSC review of Mountain Water Sale
Group says careful vetting and community involvement essential to deciding future of Missoula’s water system

(Missoula, MT) – The Clark Fork Coalition filed a petition with the Montana Public Service Commission today, seeking approval to intervene in the PSC’s review of the proposed sale of Mountain Water Co. to Liberty Utilities.

In the petition, the Coalition asserts that the proposed sale of Missoula’s water utility has been over-simplified and requests that, in addition to granting the Coalition permission to intervene, the PSC take four actions: 1) include Liberty’s parent company, Algonquin Power & Utilities, in the proceedings so that the public can learn about its intentions; 2) properly classify the proposed transaction as a sale in order to daylight concerns such as revolving-door ownership of the water company; 3) allow the public to energetically engage in the PSC review process through a contested case hearing format; and 4) hold off on review of the proposed sale until the state district court rules on the City of Missoula’s pending eminent domain case regarding Mountain Water.

On Dec. 15, 2014, Liberty—a subsidiary of Canada-based Algonquin Power & Utilities—along with Mountain Water and the water company’s current owner, Western Water Holdings, which is itself owned by the Carlyle Group, jointly requested that the PSC begin its review process and approve the sale.

Karen Knudsen, executive director of the Clark Fork Coalition, said that “Water is the lifeblood of our community. So it’s critical that any decisions about who will manage our water supplies and infrastructure take place with full consideration of the conservation values that ensure clean, safe, and reliable drinking water for our community.”

The PSC gave the Coalition intervenor status in 2011 when Mountain Water changed hands through a sale to Carlyle. During those proceedings, the Coalition secured commitments from Carlyle via a private letter agreement that guaranteed protections for water resources
controlled by Mountain Water. These include the Missoula aquifer, Rattlesnake Creek, and several lakes in the Rattlesnake wilderness area.

Knudsen says her group would like to see similar commitments this time around—“or at least ensure that the questions pertaining to management of our community’s water resources are asked, and are part of the record upon which PSC will base its decision,” she said. “Liberty and its parent company Algonquin are new players in town. The public needs to hear from these companies about their approaches to conservation stewardship, their intentions for the Rattlesnake watershed, their vision for improving Mountain Water’s infrastructure, and their ideas for sustaining and improving water resources in the Missoula Valley.”

And then there’s the matter of rates, Knudsen said. “What can customers expect to see on their bill? As we all know, there is no substitute for water. There are no other options. To what extent are Liberty and Algonquin sensitive to that reality?”

Unlike all other major cities in Montana, Missoula’s water system is in private ownership. It last changed hands in early 2011, when the PSC approved its sale to the Carlyle Group.

Algonquin, through Liberty, has been acquiring publicly regulated utilities only since 2010, increasing its customer connections from roughly 70,000 to nearly half a million in 2014. In its PSC application, Liberty says that it and Algonquin have never sold a utility that they have acquired and will provide drinking water to the Missoula community permanently. Algonquin is not a formal party to the proceeding.

Knudsen said it’s important for Missoula Valley residents to engage in the PSC review process, and can do so by sending written comments to the Commission through its website: http://psc.mt.gov/consumers/comments.

“Clean, safe, reliable, and affordable drinking water is essential to our community’s health. But because Missoula’s water utility is privately owned, we must ask for a say in how it is managed,” said Knudsen. “Today, we’re asking the PSC to give Missoulians the opportunity to be informed and involved in the critical decision about ownership of our drinking water system, and the future of the clean water we all depend on.”