

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

February 6, 1981

The twenty-second meeting of the Senate State Administration Committee was called to order by Senator Towe who assumed the chair because of the absence of Senator Story until his arrival.

ROLL CALL: All members of the committee were present except Senator Johnson and Senator Kolstad.

CONSIDERATION OF SENATE JOINT RESOLUTION 5:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION NECESSARY TO ASSURE RESUMPTION OF CONSTRUCTION OF ADDITIONAL GENERATING UNITS AT LIBBY DAM AND THE REREGULATION DAM ABOVE LIBBY.

Senator William Hafferman, sponsor of the bill, said he is introducing it because so many have told their congressman to authorize and enact legislation for the resumption of the construction of the projects started at Libby Dam. He pointed out that this idea began in 1953 and has not been completed at this date.

PROPOSERS: Senator Carroll Graham, Lodge Grass, referred to the rereg dam that has been put to use in his area. He had seen the Libby Dam and was concerned that construction had been stopped there.

Senator Story assumed the chair at this time.

Senator Manley, proponent, stated on his vacation to see the dams in the state he had noted that in Libby four generators are finished and four are yet to be built. The official office is not in Libby but in another city; therefore, they would not realize the safety of all in determining the need for the rereg dam.

Pat Stuart, Montana Coal Counsel, stated that hydropower is valuable to western Montana, and completion is essential to maintain the mix between western and eastern Montana.

Minutes of Meeting on State Administration Committee

Peter Jackson, WETA, mentioned in the initial period of building the dam common sense would have indicated that a rereg dam should be included. The original idea had neglected including a rereg dam.

Bill Hand, Mt. Mining Assn., had also visited the dam and realized it has a peaking power situation. He stated the investment and development would be encouraged by the further construction of this project.

Joyce Brooks enclosed testimony which she read aloud.

George Johnson, ASARCO, stated the practical place to store electricity is in the high power facility. The rereg dam could produce power when it is needed most.

Don Allen, Petroleum Assn., said the state needs help in balancing their needs to solve their total energy requirements, and this is an opportunity to progress ahead on the rereg dam.

Senator Hafferman had statements from Senator George McCallum to be recorded as testimony that he has investigated the situation thoroughly and is a proponent of this bill.

OPPONENTS: Ellen Ditzler, Environment Interest Center, read her enclosed testimony.

Barb Rhodes, Libby, Coordinator of Save the Kootenai, passed out letters to the senators and enclosed written testimony.

Questions of the committee: Senator Hafferman asked Mr. Jackson to speak on GAO report and he did, noting that they had considered it weak and unsuitable to the situation.

In closing by Hafferman he mentioned again that he had been in on the original start of the dam and cited the many situations that have prevented the finish of this project.

The hearing was closed on S.J.R. 5.

CONSIDERATION OF HOUSE BILL NO. 139:

AN ACT TO REMOVE THE ANNUAL ELECTIONS OF FIRE DISTRICTS, HOSPITAL DISTRICTS, IRRIGATION DISTRICTS, AND DRAINAGE DISTRICTS FROM THE CONSOLIDATING PROVISIONS OF TITLE 13; TO PROVIDE THAT THE ELECTIONS FOR SUCH POLITICAL SUBDIVISIONS BE HELD ON SCHOOL ELECTION DAY, THE FIRST TUESDAY OF APRIL, EITHER IN COOPERATION WITH A SCHOOL DISTRICT OR AT ANOTHER CONVENIENT LOCATION WITHIN THE POLITICAL SUBDIVISION: TO PROVIDE FOR A MANNER OF CONDUCTING SUCH ELECTIONS, NAMING QUALIFIED ELECTORS, AND NOMINATING CANDIDATES FOR OFFICE.

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Representative Bob Thoft, District 2, sponsor of the bill, stated the bill returns elections to the districts and will continue on their own as they had in the past prior to passage of that bill. The reasons he asks for passage of this bill is because, if not, the commissioners will be bunched into the following year's elections plus those who would be due for election.

PROPONENTS: Darlene Hughes, Clerk and Recorder of Ravalli County, stated the present law disenfranchises a person because he cannot have secrecy. She also stated they must be a registered voter of Montana. If they are not a registered voter in their precinct, they cannot vote on certain districts. She showed some examples of how they have handled the problem with a pile of colored ballots that were unacceptable by all. She felt it is not fair to the voter himself to have this law.

Betty Lund, another Clerk and Recorder, who had to solve this problem, cited that she was the only person in her district who voted and feels this is unconstitutional. She suggested they put it back to the districts themselves and they would do a better job.

Charles Crane, Mt. Irrigation District, feels this is a necessary step and had the same reasons as proponents before him.

R. A. Ellis, Montana State Volunteer Fire Assoc., Helena, had been given suggestions that they have no election but appointees. It has been salaried to the county election. There is no fear of elections being misused. He does not want to pay the extra costs to the county administrator.

Al Korn, Dave Fisher, and Mike Walker supported the bill because of its great need.

OPPONENTS: Margaret Davis, LWV, enclosed her testimony, plus that of another opponent.

Questions of the committee: Senator Towe asked Rep. Thoft his thoughts about part 3 in section 6 on page 6. He answered that it would be no problem, and the important thing is that they would be dealing with elected officials that would conduct it properly.

Senator Towe asked the others in the room if they would have a problem with appointing a deputy election administrator. Answer was no.

Senator Ryan asked about the clerk and recorder in some counties not being the elected administrator and was told that it may be different in some counties. Rep. Thoft said

this bill names the elected administrator.

The hearing was closed on House Bill 139.

CONSIDERATION OF HOUSE BILL NO. 259:

AN ACT TO AUTHORIZE THE INCURRING OF
LIABILITIES AND EXPENSES WHEN AN ENERGY
SUPPLY ALERT OR AN EMERGENCY OR DISASTER
ARISING FROM AN ENERGY SHORTAGE IS DECLARED
BY THE GOVERNOR.

Senator Steve Brown, Helena, sponsor of the bill, said this bill will give the governor authority to incur expenses in emergencies arising from an energy shortage.

PROPOSERS: Alan Davis stated that the bill provides for expenses incurred to be paid out of the state disaster fund. The governor can declare energy supply alert and energy emergency. It makes sense to have the cost paid as they are incurred.

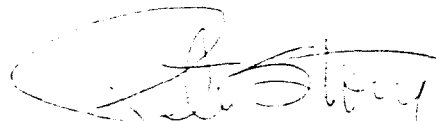
Larry Darcy and Col. Gilbertson supported this bill.

OPPOSERS: None

Questions from the committee: Senator Towe asked Alan Davis about the costs, and he answered they are just asking about additional costs.

Senator Brown asked Senator Story about legislation in the 1979 legislature that might have affected this bill. He stated he would research it with John Hollow, Legislative Council.

ADJOURNMENT: 11:35.



PETE STORY, CHAIRMAN

ROLL CALL

STATE ADMINISTRATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2-6

NAME	PRESENT	ABSENT	EXCUSED
Senator Pete Story, Chairman	/		
Senator Allen Kolstad, V. C.		/	
Senator William Hafferman	✓		
Senator H. W. Hammond	/		
Senator Jan Johnson		/	
Senator Patrick Ryan	/		
Senator Thomas Towe	/		

Each day attach to minutes.



The Montana Environmental Information Center

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TESTIMONY BEFORE THE STATE ADMINISTRATION COMMITTEE (HOUSE)
regarding SJR 5
February 6, 1981

Speaking as Opponent to SJR 5

Mr. Chairman, members of the committee, my name is Ellen Ditzler. I speak on behalf of the Montana Environmental Information Center, a statewide public interest group with over 1300 members.

Senator Hafferman and others share concerns about their communities - sincere concerns about economic security, employment and energy futures.

We respect their concerns. However, the solutions being sought in SJR 5 will not serve to alleviate those problems. They could, in fact, compound those problems.

We all agree that our energy needs are growing. Some needs can be solved by adding more sources of energy. Others are solved by using the energy we already have in more efficient ways and with less waste.

Do the additional generating units at Libby Dam give us more energy? NO.

It is important to understand that these units would convert Libby Dam from a base-load to a peak load facility - redistributing the same total quantity of energy over time. The units do not increase the total energy produced at Libby Dam, they do not create more energy, they concentrate what is already being produced during the hours of the day when the use of electricity is greatest, i.e., peak hours.

To say that Libby Dam - with these additional units - would provide more energy is just not true. To say that more peaking energy is needed - more energy zapped through the lines at certain times of the day - is also inaccurate. In the Northwest region, we have a surplus of peak power for the next 20 years. And the demand can easily decrease.

But the most disturbing aspect of this resolution is what it implies for our already strained pocketbooks. Perhaps a fiscal note should be attached to SJR 5 so you could see what you would be urging our Congressmen to do.

A 1980 General Accounting Office (GAO) report found that the Libby re-reg dam

1) is not economically justified,

2) the Army Corps of Engineers overstated its benefits and understated its costs,

3) the Army Corps did not demonstrate that this project is the best available option for meeting the energy needs of the Northwest.

The Libby re-reg dam is not economically justified because it does not have a positive cost-benefit ratio. That simply means that the costs of the project - its construction and operation - exceed its worth.

In fact, the GAO found that the Libby project had the worst cost benefit ratio of any project among the many it had examined.

The federal government is prohibited from spending taxpayers' money on projects that do not have a positive cost-benefit ratio. The "legal problems" preventing the completion of the Libby re-reg dam (see p. 1, line 10 of the resolution) amount to this problem: that our government can't spend our money on projects that aren't worth it.

If you pass this resolution, you are urging Montana's Congressional delegation and Congress to do their best to see to it that we

1) proceed with a project that would violate a federal statute

2) build a project costing taxpayers nearly a quarter of a billion dollars, but returning only 58¢ on each tax dollar we spend

We would urge them to:

3) increase government spending

4) increase inflation by tying up large amounts (\$300 million plus) of capital when capital is scarce

5) take us leagues away from a balanced budget, and

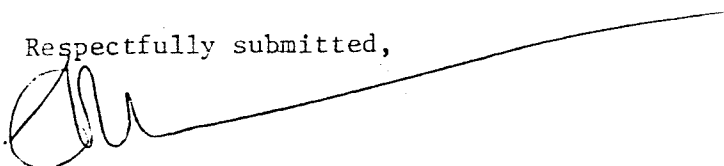
6) use our tax money on perhaps the least desirable option for meeting the energy needs of the Northwest.

That we have already made economic commitments to the Libby projects is a poor and sad excuse. It is saying "We can't say no" so we're willing to suffer the results I've described above.

Putting the Montana Legislature behind a resolution to urge Congress to spend our money unwisely is irresponsible. It is an outrage to taxpayers. This Legislature perhaps more than others, is deeply committed to taking actions that are fiscally responsible and economically healthy. SJR 5 is not one of them.

Thank you for considering our comments.

Respectfully submitted,



FROM SENATOR JOHN MELCHER
1123 Dirksen Senate Office Building
Washington, D.C. 20510

PRESS RELEASE
March 6, 1980
For Immediate Release

ENERGY DEPARTMENT AND BPA JOIN ATTACK ON GAO'S LIBBY DAM REPORT

WASHINGTON -- Two more federal agencies have attacked the General Accounting Office (GAO) report issued recently questioning the advisability of proceeding with the Libby reregulating dam project -- the Department of Energy and the Bonneville Power Administration.

In a letter to Senator John Melcher, they state that the GAO report "is seriously deficient in two major respects," explaining:

"(1) the project benefits presented in the report are unrealistically low and (2) there is inadequate recognition of the problems associated with the alternative means of meeting Pacific Northwest peaking needs and the substantial efforts made by the Bonneville Power Administration and utilities in the region to implement the alternatives."

The Department of the Army and the Corps of Engineers earlier attacked the GAO report as having badly misstated the benefits of the project to increase power output at Libby, specifying its failure to include the value of power generated at the reregulating dam itself, an estimate that oil prices will go up only 2% a year, and failure to realistically assess various alternatives to meet peaking power deficits.

"There is no reason why the addition of a baseload power plant at the proposed reregulating dam is not included in the project analysis," DOE said in concurring with the Army. "The reregulating dam is required for the additional Libby Dam units to be installed. Water releases from the reregulating dam and associated effects would not be significantly different whether power is added at the reregulating dam or not. However, the 76 megawatts would be high -- a benefit/cost ratio of 1.91."

--more--

While saying that evaluation of the project without considering the power from the re-reg dam itself is "not supportable," the Department did analyze the project both with and without the additional power "for comparison with the GAO and the Corps studies." DOE found the project to have a positive benefit/cost ratio in either case. Other benefits DOE criticized the GAO for omitting included the oil conservation savings and the "inflation-proof" nature of hydropower projects.

In response to the GAO charge that the BPA had not adequately studied other means of meeting shortages, the Department said, "All of the other means mentioned -- combustion turbines, cogeneration, power exchanges, load management and peak pricing options -- have been considered by BPA, the Corps and regional utilities for a number of years in their analyses of methods to serve peaking requirements."

After describing the extent to which all the alternatives have been considered and implemented, the Department stated that the GAO report "suggests that such alternatives may offset the need for /the Libby project/. In developing this conclusion, the report fails to recognize that the region faces severe peaking power deficits. Many of the alternatives the report recognizes as substitutes for LAURD are already in various stages of implementation. These will be needed in addition to the LAURD (Libby Additional Units & Re-reg Dam) project, not instead of the LAURD project."

The DOE also expressed "regret" that it and other affected agencies "were given no opportunity to comment" on the GAO report before publication last fall.

John Melcher Reports

Power Needs of 100,000 Montana People At Stake in Libby Dam Debate

By Senator John Melcher

Without the Libby Re-reg Dam some 100,000 people whose electricity comes from rural electric co-ops in Western Montana, or whose jobs are at the Columbia Falls aluminum plant or Stauffer's Chemical Plant at Silver Bow, will need additional electric power supplies from some other source. Also, 400 members of the Flathead Irrigation District who depend on electricity from the Bonneville power pool which includes Libby Dam.

The aluminum plant has 1,360 workers; Stauffer employs 250 people. The Rural Electric in Western Montana have 32,000 members.

The number of people in the families of those served by each of the Western Montana rural electric cooperatives is as follows:

Ravalli Electric Co-op (Corvallis)	11,100
Vigilante Electric Co-op (Dillon)	12,800
Missoula Electric Co-op (Missoula)	19,400
Flathead Electric Co-op (Kallispell)	18,600
Glacier Electric Co-op (Cut Bank)	15,500
Lincoln Electric Co-op (Eureka)	6,100
Park Electric Co-op (Livingston)	6,700
Northern Lights Co-op (Montana customers)	5,400

Do they need additional electricity? The Rural Electric state their load growths increase each year between 7% and 15%. Conservation will help reduce that growth, but pumping irrigation water by electricity continues to increase annually, which is about one-half of the load growth.

Gasohol is in our future, but farmers raising products to make alcohol in Western Montana will principally use irrigated land. We want more production (not less) from it.

at lture to p cent used mer sed fuel and elect city, not less.

Electricity supplies to the two industrial customers have already been cut back by Bonneville Power. The eight electric co-ops and the irrigation project together face a projected increase in demand amounting to over 98,000 kilowatts of generating capacity by 1985.

So what's at stake for Western Montanans in the debate over the project at Libby Dam? Very simply, an assured supply of necessary power for more than 100,000 Montana consumers and producers.

The project to complete Libby Dam by adding four generators to the main dam, constructing a downstream re-regulating dam, and installing generators in that re-reg dam would add 483,000 kilowatts of peaking capacity and 88,000 kilowatts of baseload capacity. And that new baseload power from the re-reg dam would cost 16 mills (1.6¢) per kilowatt hour compared to 42 mills (4.2¢) from Colstrip 3 and 4.

Unfortunately, the House of Representatives recently scuttled Libby re-reg dam from the water projects bill.

The Northwest, a growing part of the U.S., faces much larger differences between projected demand and actual power supplies. In 1985 the region faces deficits in peaking power of 1,484,000 kilowatts, and baseload deficits of some 2,611,000 kilowatts. In sheer numbers, Montana's needs pale in comparison to regional deficits. The Libby project will not, by itself, solve the energy shortage of the Northwest but it is an essential part of the solution.

The Libby project will help avoid shortages in Montana in 1985 because the authorizing language I am seeking would reserve half the new power from Libby for Montana customers. Below the dam river fluctuation would be cut about in half (the Kootenai River fluctuation is 4-6 feet now); fish and wildlife mitigation funds would become permanent.

As the U.S. works its way out of energy supply problems -- and I'm confident we will -- many alternatives to our conventional power sources will be developed. Some will be expensive; some we may find will be economical. But, in the effort to develop new sources, it would be irresponsible to ignore adding more clean, renewable and economical energy from water power facilities already in operation, but which can produce more.

Developing new alternatives is something we must do in addition to completing the Libby Dam project, not instead of it.

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Senate

THE LIBBY REREG DAM CONTROVERSY: EVEN FOOLS ARE RIGHT SOMETIMES

• Mr. BAUCUS. Mr. President, Winston Churchill once said that the greatest lesson in life is to know that even fools are right sometimes.

Well, I would like to think I am not a fool. And, I would like to think that I am right more than once in awhile.

But right now, I feel like a political fool, and, after all, most likely it was political fools that Winston Churchill was addressing. My guess is that my House colleague from Montana, Representative PAT WILLIAMS, feels like a political fool as well. The reason is that together we are fighting \$300 million of Federal spending in our own State—Montana.

That is over \$400 for each person in our State.

Now, you know and I know it is real political folly for Members of Congress to criticize Federal spending back home—any Federal spending back home. Oh, we are supposed to fight against spending and pork barrel, all right. It is just that someone laid down a commandment for Senators and Congressmen: "Thou shalt not criticize Federal spending in thine own State. Period." It is like by definition there cannot be any wasteful spending, no pork barrel, in your own State—only in the next fellow's.

That is why I feel politically foolish. Criticizing a Federal spending project in your own State is foolish politically. But that does not mean we are not right. And it does not mean that wasting \$300 million tax dollars is not wrong—no matter where that waste may occur.

I guarantee you, if there were any way at all—spending this much money on a project near Libby, Mont., could be honestly justified, I would do so.

But it cannot be.

I have looked and looked at these figures, and the spending can not be justified.

I would like to take this opportunity to explain why two Members of Congress—the Congressman representing the district involved, and a Senator representing the State involved—are so politically foolish as to break the commandment: "Thou shalt not criticize Federal spending in thine own State."

HIGHLIGHTS OF THE FACTS

What the project is:

The "Libby Additional Units and Reregulating Dam" (LAURD) is a U.S. Army Corps of Engineers project to construct a reregulating dam 10 miles downstream of the existing Libby Dam. The additional dam, plus the addition of four generators on the existing dam, would convert the entire operation into a "peaking power" facility. The project cost is \$300 million.

Why it is controversial:

The corps was constructing LAURD when a law suit stopped most work. A Federal court found that the money was being spent illegally—that Congress had not authorized construction of the reregulating dam. New legislation to authorize the reregulating dam was defeated in the House of Representatives a few weeks ago when the Congressman representing the district—PAT WILLIAMS—urged its defeat as a wasteful expenditure. So, while the project may be brought before the Senate, it faces opposition from its district's Congressman and a Senator from its State.

Important facts:

First. Benefit-cost. The General Accounting Office (GAO) has conducted a new, extensive study of the project. GAO finds that there will be only 58 cents in benefits for every dollar of cost: This is the worst benefit-cost ratio ever found by GAO in studies of similar projects. The corps promises a ratio of at least \$1.60 in benefits per \$1 of costs. This is the corps' newest figure. (The corps' figures keep going down; until recently, the corps promised \$2.30 to \$1).

In brief: LAURD is \$300 million of Federal spending for the worst benefit-cost ratio ever found by GAO—and both the Congressman from the district and a Senator from the State agree it is too wasteful to build.

Second. LAURD is not a normal "water project." It is a "peaking power" project only. This distinction is important. The West needs good water projects—to irrigate farm lands, to stop floods, to provide recreation, and to provide new power. But the LAURD project will not irrigate one acre. It provides no flood control. It provides no recreation. And, most important, LAURD will not provide any significant new power.

LAURD's sole purpose is to convert the existing dam from a "baseload" facility to a "peaking" facility. The question is whether the kilowatts are produced continuously at a lower rate (baseload) or intermittently at high-but-short surge rates with long periods of inactivity (peaking). GAO points out that no one has really established a need for more peaking capacity. But even if there were a need, this is \$300 million for almost no new power, no irrigation, no flood control, no recreation.

By itself the LAURD project will produce about 7 new megawatts of power. That is about \$43 million per megawatt. The Corps is now suggesting that three more generators be added to the rereg dam. This would add another 32 megawatts of energy.

In brief: LAURD is not a normal water project. It is a peaking power project only.

Third. Alternatives not explored: Bonneville Power Administration (BPA) says that for this much money 200,000 homes could be properly insulated in the Pacific Northwest. Unlike LAURD this would mean new power—by freeing up 12 times the energy produced by LAURD. (Even if you add the Corps' new proposal for even more generators—the insulation would still do better by nearly 3 to 1.)

GAO's report—besides pointing out that new peaking capacity may not be needed, especially at the cost of lost baseload capacity—suggested several alternatives for meeting peaking needs if these needs do grow. These would likely be cheaper and more effective. The word "likely" is because GAO points out that the Corps did not study these possible alternatives.

A couple of GAO's examples are "load management"—to decrease peaks of demand, and "power transfers" with the Pacific Southwest. Power transfers would allow Southwest summer air conditioner peaking demand to be met by Northwest power; Northwest winter heating peaking demand would be met by Southwest power.

In brief: LAURD is being pushed without other peaking power alternatives being explored—without even good figures on the need for more peaking capacity. If we need it, let us build it. But if alternatives would be cheaper, let us at least look at them.

Summary of facts about the Libby

Rereg Dam controversy:

First. The Libby project, called "LAURD" would cost \$300 million.

Second. GAO's recent study gives it the worse benefit/cost ratio in GAO's long history of similar studies—58 cents in benefits for each \$1 spent.

Third. Both the Congressman from the district and a Senator from the State agree it is too wasteful to build. (When is the last time you heard of a Member of Congress fighting to kill \$300 million in Federal spending in his own State?)

Fourth. LAURD is not a normal water project. It is solely a peaking power project. No irrigation. No flood control. No recreation. Almost no new power. It just substitutes surges of power for continuous power.

Fifth. Alternatives to LAURD have not been explored. Even the need for new peaking capacity has not been established.

I ask that an analysis I have had prepared of the major points in controversy be printed in the Record at the conclusion of my remarks.

ANALYSIS OF CONTROVERSIAL POINTS CONCERNING THE LIBBY ADDITIONAL UNITS AND REREGULATING DAM (LAURD) PROJECT

BENEFIT-TO-COST RATIOS

Overview: No benefit-to-cost ratio (b/c) ratio is any better than the assumptions used to produce it. (After you make assumptions about a number of key factors, all that is left is math; both the Army Corps of Engineers and the General Accounting Office [GAO] are good at math.)

There are a number of problems with forecasting LAURD's future benefits and costs. How you solve these problems determines what the final benefit-to-cost ratio will be.

Benefits: The first problem is to figure what the benefit of the project will be worth over the years ahead. Since the Corps does not expect the LAURD project to produce any irrigation, flood control, or recreation, LAURD's benefits come down to the dollar value assigned to the peaking power it will produce. This means multiplying the number of peaking kilowatts by the dollar value of each kilowatt.

The dollar value of these kilowatts is one of the biggest controversies. The dollar value of this power is what you would have to pay to get the same power from another source in the years ahead. The other source which the Corps suggests is oil. So, the Corps says the benefits assigned to these kilowatts equal the dollar costs of producing the same number of kilowatts by burning oil. The Corps goes on to say that the cost of burning oil will go up each year by 6.1 percent more than the general inflation rate.

GAO disputes this.

GAO reports that the best experts it could find during its study say that oil cost is likely to go up about 2% faster than the general inflation rate, not 6.1% faster.

Here, it is worth stopping to explode a myth: There is a rumor that GAO's study assumes that the annual rate of inflation for oil would be only 2%. This rumor is not true. The 2% figure given by GAO is in addition to regular inflation, just like the Corps' 6.1% figure. These figures are called "fuel escalators." Right now, the rate of inflation for 1980 given by the Consumer Price Index is 18%. GAO's fuel escalator would suggest that fuel prices should rise by 2% more than this (a total of 20% in 1980), and the Corps' fuel escalator suggests that fuel prices should rise by 6.1% more than this (for a total of 24.1% in 1980.)

At the Congressional Research Service, the Library of Congress' specialist in energy and utility economics has taken a fresh look at both the Corps' and GAO's figures. The Library of Congress report says that it is not even reasonable to compare LAURD costs only to oil costs—because in Montana and the Northwest, oil is not used to produce much power. Coal is used throughout the Northwest, and in Montana natural gas also is used. Both are much cheaper than oil. Further, while coal is not normally used for true "peaking", it can be used for the "inter-

mediate peaking" which will be a lot of what LAURD would be used for.

Further, the Library of Congress report suggests looking at the difference between the inflation rate for coal and the rate of inflation for the industrial sector of our economy. (The general inflation rate is lower than the rate of inflation for the industrial sector.) Using the same source for figures that the Corps used, but substituting coal and the industrial sector inflation rate, the Library of Congress report suggests a fuel escalator of -1.35%. That is, this report suggests that coal prices are expected to increase at a rate 1.35% slower than the average increase of prices in the industrial sector. This in turn suggests that both the Corps' and GAO's fuel escalators are too high. Accordingly, both the Corps and GAO may have actually exaggerated the benefits of LAURD in their analyses and in their resultant benefit-to-cost ratios.

SUMMARY OF BENEFITS CONTROVERSY

The Corps equates LAURD benefits with the cost of producing equivalent power by burning oil. It says that the "fuel escalator" (the rate energy costs may increase in addition to other inflation) is 6.1 percent or at least 4.15 percent. GAO used a fuel escalator of 2 percent—remember, that's 2 percent above the general inflation rate. The Corps says that 2 percent is unrealistically low.

This point is so controversial it is worth noting that in an earlier (September 1979) report on LAURD the Corps itself had stated, "... A wide range of fuel escalator rates have been cited in recent literature, with most values in the two-three percent range." (See September 1979, Army Corps report to GAO concerning production cost model.)

The Library of Congress reports that not only may the Corps' b/c ratio exaggerate benefits, but that even GAO's lower b/c ratio may also exaggerate benefits. The Library of Congress used the Corps' source of figures, but substituted coal (prevalant in Montana) for oil and substituted the industrial inflation rate for the general inflation rate. Doing this it developed a fuel escalator of not 6.1 percent or 4.5 percent or even GAO's 2 percent; it found a fuel escalator of -1.35 percent.

COSTS

The Library of Congress also pointed out that legal requirements kept the Corps from reporting the LAURD project's costs correctly.

In order to figure the project's costs, one thing you have to decide is how much the money tied up in the project will be worth over the years ahead. You do this by figuring out how much the government could borrow this money for. This makes extra sense when you realize that any dollar spent on any project could instead be spent on paying off some of the national debt; therefore, this money's "cost" is at least as much as how much the government pays in interest for borrowing the same amount of money. The government currently pays an average of over 9 percent interest on the money it has borrowed. (Right now, the government is paying between 11 percent and 13 percent interest on any new borrowing it does.) But the Corps is legally required to assume that the government is paying only 7½ percent interest on this money. GAO also assumed a 7½ percent interest rate, again because that is what the Corps is legally required to do.

What this means is that the costs portion of the benefit-to-cost ratio is being understated because of this artificial requirement that b/c ratios must assume that the government pays no more than 7½ percent interest on the money it borrows.

In short, the Corps argues that inflation is pushing up the costs of alternative energy sources—thus increasing the value of LAURD's benefits. But if inflation somehow increases the value of LAURD's benefits, we must remember that inflation also increases the costs of the dam—not just the increased costs of actual construction, which is a separate issue, but the fact that every dollar used for the dam could be used to decrease the national debt, thus saving the interest on that debt.

Building LAURD costs the government the opportunity of using this money another way—including paying off some of the national debt. Real interest on the debt is now averaging over 9 percent and going up. Both the Corps' and GAO's b/c ratios assume that this interest is 7½ percent.

HOW THE BENEFIT-TO-COST RATIO IS FIGURED—THE OTHER B/C RATIO CONTROVERSY

The Corps figured its b/c ratio by using what it calls "traditional methods": This means comparing the LAURD project's costs and benefits to the costs and benefits of other possible sources for the same electricity. The least costly way of getting the job done is what you select.

GAO believes there is a better way to do all this called "Production Cost Modeling". This way means comparing the LAURD project costs and benefits to the costs and benefits of other possible sources of the same electricity (just as the "traditional method" above), selecting the least costly way of getting the job done (again, just as the traditional method above), and then, in addition, considering the difference between Libby

Dam's use now and its use after LAURD would be completed—how this difference would affect the entire energy system under discussion. GAO wants the Corps to compare Libby Dam with and without LAURD to see what the total system's costs and benefits would be over a year of real operations.

The Corps calls GAO's suggestion, "an exaggeration of the state-of-the-art," saying that GAO's analysis is "superficial," "hastily prepared," and "cannot be supported by reliable sources." (See the Corps' comments of February 26, 1980, in response to GAO's report.)

GAO points out that the Corps itself in an earlier LAURD b/c analysis used the production cost model and defended this as late as September, 1979, when the Corps said, "... the incremental analysis approach, as derived from the production cost model, was used to make the evaluation. This method is widely used and it is the method advocated by FERC (Federal Energy Regulatory Commission), USBR (U.S. Bureau of Recreation), and others." (See September, 1979, Army Corps report to GAO concerning production cost model.)

So, the method of figuring the b/c ratio of LAURD proposed by GAO and strongly attacked by the Corps as one that "cannot be supported by reliable sources" is the method that a few months ago the Corps itself utilized and described as "widely used" and "advocated by FERC, USBR, and others."

These are the three basic benefit/cost ratio controversies—(1) How the benefits are figured and what fuel price "escalator" to use, (2) how the costs are figured and what the interest rate on borrowed money should be and (3) whether the b/c ratio should be figured by traditional means or by figuring LAURD's total impact on Northwest energy supplies.

OTHER BENEFIT/COST RATIO CONTROVERSIES

Besides these three big issues, there are several other controversial but smaller factors involved in the b/c dispute. These include such things as road relocation and cultural resources preservation. These are not "big ticket" items, but GAO found fault with the Corps for not including them in the Corps' b/c computations. The Corps has now included some of these in its newest b/c analysis, and the Corps' recomputations, based on some of these costs' being figured, may be part of the reason the Corps has revised its b/c ratio down from 2.3-to-1 to 1.9- or at least 1.6-to-1.

ALTERNATIVE MEANS TO MEET PEAKING NEEDS

Beyond the benefit-to-cost question is the question of what other ways we have of meeting future peaking needs.

The Corps' basic position is that the Pacific Northwest faces potential peak power shortages; that even with ongoing work on alternatives to LAURD, LAURD will still be needed—as a key addition to all the other activities.

GAO searched the Corps' documents and states, "we found no evidence that they (other ways of meeting peaking needs) had been studied as specific alternatives to the LAURD project. BPA (Bonneville Power Administration) and regional power planning officials told us that they know of no studies specifically comparing possible peaking alternatives to the LAURD project." (See GAO comments of March 10, 1980 on the Corps' response to the Libby Dam GAO study.)

The Corps and GAO agree that alternative ways of meeting or reducing peaking needs should be pursued. The Corps says it is pursuing other ways of meeting or reducing peaking needs, and that it has studied them as alternatives to LAURD. The Corps believes these ways are not reliable enough to avoid the need for LAURD.

GAO says its auditors could find no evidence of any significant study of alternatives as they might relate to LAURD. GAO believes that these alternatives should be studied before, not after, spending the \$300 million.

Following are some of the controversial "non-structural" (meaning no-major-construction-needed) alternatives:

1. Co-generation: Co-generation is where an industrial plant, like a timber mill, reuses heat it, would otherwise waste in order to generate electricity.

The Corps says, "co-generation . . . is in its infancy and it may or may not prove a practical source of peak power. . . . If co-generation is primarily a source of energy with questionable dependable capacity, it is not a true alternative to LAURD. Even the GAO report itself, notes obstacles to development of co-generation." (See the Corps' February 26, 1980 response to the GAO report.)

GAO says the Corps is wrong in stating that co-generation "is in its infancy", that there are already more than 400 megawatts of installed co-generation capacity in the Northwest, and that there is co-generation potential at industrial sites in the region for about 1000 megawatts more than what is now installed. GAO points out that the obstacles to doing more co-generation are not technical, but institutional—red tape and regulations. A recent Federal Energy Regulation Commission (FERC) decision will remove some of that red tape and encourage

even greater use of co-generation.

GAO says that before spending the \$300 million to produce 40 megawatts of new power, the Bonneville Power Administration (BPA), the Corps or someone ought to look at how these "institutional barriers" could be lowered—thus easing the way for the co-generation of 1000 megawatts of new power. BPA is already doing some work in this area.

2. Capacity Exchanges: This is the idea of trading electricity between the Northwest and the Southwest. In the winter, the Northwest has higher peaking needs than during the summer, because homes have to be heated. Meanwhile, Southwest winters are warmer, and its winter needs are low. The reverse is true during the summer: In the summer, the Southwest has its highest peaking needs for air conditioning because its summers are hot. The cooler Northwest does not.

The Corps says there are many obstacles to overcome before electricity can be traded between regions. GAO agrees. What GAO says is that before spending the \$300 million on LAURD, someone—preferably BPA—ought to try and resolve these problems. There are, after all, existing inter-tie power lines between the regions, and GAO notes that negotiations are underway between the Southwest and Northwest utilities to make more of these exchanges. This does not mean there are no problems: The problems range from governmental regulations to summer water use limits in the Northwest. The difference between the Corps and GAO is not that one says there are problems and the other says there are none; it is that GAO believes that these problems should be studied before, not after, LAURD is built.

3. Pricing and Peak Load Management: "Peak load management and pricing" can mean several things. One idea is to increase the cost of electricity during peaking seasons (for example, during Northwest winters.) Another is to allow consumers to pay different rates for electricity used during different times of the day. (Peak demand is usually highest around dinner time. You could charge more for electricity used between 4 and 6 p.m. and less for that which is used during other parts of the day. People would save money and lower peaking demand by not using dishwashers until later, by putting automatic switches on water heaters, etc.)

The Corps agrees that peak load management and pricing will have an impact on the region's peaking capacity needs. Once again, the difference between GAO and the Corps is that the Corps wants to go ahead with LAURD, using peak load management ideas to complement LAURD. GAO wants to at least study these ideas first to find out if there really is a need for LAURD.

Summary of Alternatives: Most of the arguments between GAO and the Corps which do not relate to benefit-to-cost ratios concern whether or not alternatives to LAURD have been adequately studied. GAO considers many non-structural ideas as alternatives to LAURD—alternatives that have not been studied seriously. The Corps considers these ideas as potential complements to LAURD, believing that LAURD should be built right now as the most certain path to new peaking capacity.

This brings up the final question of whether more peaking capacity is really needed.

Is more peaking capacity needed in the Northwest? No one has a crystal ball; no one can accurately predict future energy needs, let alone specific peaking needs. Here is what is known:

(1) The forecast rate of increase in peak loads has declined over the years. Each utility uses its own judgment to decide what methods and assumptions should be used in making its forecasts. There is no one way or proven way. Total future peaking needs in the Northwest are estimated by adding up what each utility believes its needs are; and that rate of increase is declining.

(2) These forecasts generally don't figure in possible decreases in need that result from conservation, and certainly don't include the effects of new conservation measures likely to be taken.

(3) Forecast peaking needs are based on "worst case" scenarios—what we may need on the worst day of the worst month. It's wise to be cautious, but we should remember that we may be paying for "overkill".

(4) Even if these "worst cases" happen, it does not mean that people freeze; likely people wouldn't even know that something had happened. Temporary shortages are met first by exercising clauses in industrial contracts for power. Big industries (which use about ½ of all the region's power) often get their power at cut rates on the condition that when there are shortages their supplies will be reduced to meet the shortages.

Is more peaking capacity needed? No one knows. All that we know is that the LAURD project would mean spending \$300 million, not for new power, but for new peaking capacity—a capacity that may or may not be useful. ●



Senator Pete Story
Chairman State Administration Committee
Capitol Station
Helena, Montana 59601

Dear Senator Story:

Our club is writing in regard to SJR-5 a resolution to urge the construction of the LAURD project on the Kootenai River in Northwest Montana.

Our club is responsible for the Federal Lawsuit which halted the construction of the Re-regulating Dam. Since that time two members of Montana's Congressional delegation have had the courage, intelligence and integrity to speak out and take action to assure that this project not be built.

The simplistic reasoning of SJR-5 is typical of the proponents who clamor for these pork barrel projects.

If you want to be responsible for helping to bankrupt the federal treasury, for destroying 10 miles of the Kootenai River, reducing Lincoln County's tax base, ignoring conservation options to reduce peak power demands, contributing to spiraling utility rates and helping to increase the United States vulnerability to nuclear strikes by promoting highly centralized energy systems go ahead and vote for the resolution.

Keep these facts in mind:

- * A similar resolution was passed in 1979 and it also was a waste of the legislatures time.
- * The General Accounting Office found that the Cost/ Benefit ratio for the project was the worst of any project it had ever analysed.
- * The LAURD project will not provide any significant new power. For \$300 million about 30 MW of new energy will be produced.
- * It will not provide any irrigation, recreation or flood control.
- * Promoting peaking power will rob farmers and ranchers of electricity and water they need in the summer to pump water and irrigate crops.

* The Canadian Government is entitled to divert substantial amounts of water from the Kootenai River after 1984.

In summary we feel it is ill advised for the State Legislature to promote a project that is such a flagrant waste of tax dollars.

At this time, the dire straits of our National economy cry out for fiscal responsibility and this issue gives Montanan's a chance to do their part in alleviating inflationary spending.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charlie Clough", with a long horizontal flourish extending to the right.

Charlie Clough, President

Testimony on SJR 5

There are three points I would like to cover in my testimony in opposition to this resolution.

First, there is only enough water in the Kootenai River to run $2\frac{1}{2}$ generators on a continuous basis. If we convert Libby Dam to a peaking facility we will be taking away baseload generating capacity which will make worse our baseload deficit. The West Group Forecast of Power Loads and Resources on page I-15 identifies these deficits and helps to make understandable the difference between Peak and Energy, and the expected deficits.

Secondly, it just doesn't make sense to convert to a peaking mode of operation so that we can generate additional capacity which will only be exported out of the region. My reference for this assertion is again the West Group Forecast of Power Loads and Resources page VI-6. Listed for the year 1983, 1984, 1985 are Exports to Southwest of 1314 MW of peaking capacity in the middle of winter. 2414 MW in summertime.

Thirdly, there is a need for employment opportunities in Lincoln County. We could be expanding our tree planting, thinning, and slash removal efforts to provide these opportunities and thereby guarding the precious resource that the Kootenai River is as wildlife habitat that is unexcelled and irreplaceable, and we would also thereby be bringing our forest resource into greater productivity insuring our livelihood for the future as well as for today.

So I maintain that it just doesn't make sense to lose 10 more miles of the Kootenai River for the questionable benefits of a boom-bust project. Thank you.

NAME: Peter Jackson DATE: 2-6-81

ADDRESS: 2301 Colneil Drive Helena MT

PHONE: 443-5541

REPRESENTING WHOM? Weta

APPEARING ON WHICH PROPOSAL: SJR 5

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Don Allen DATE: _____

ADDRESS: Helena

PHONE: 442-7582

REPRESENTING WHOM? Mr. Retford Cass

APPEARING ON WHICH PROPOSAL: STRU

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

Ellen Ditzler

2/6/81

PC Box 1184 Helene

443-2520

Mentana Environmental Info. Center

SJR 5

X

COMMENTS:

PC PAGE 1

Volume 22

2-2

West Bruce Hamilton Ont

367-1833

Ravalli Co.

HB 139

SUPPORT?

✓

AMEND?

OPPOSE?

COMMENTS:

NAME: Detta T. Lund DATE: 2/6/81

ADDRESS: Ravalli County Courthouse Clerk & Recorder's Office

PHONE: 363-1833

REPRESENTING WHOM? Ravalli County Clerk & Recorder

APPEARING ON WHICH PROPOSAL: H.B. 139

DO YOU: SUPPORT? ☒ AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

1/6/81

Helena

458-5586

Mount stat = No / Live Use, Pass

HB-139

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: ART KORN DATE: 2-6-81

ADDRESS: 1916 So WASH. ST BUTTE

PHONE: 723 4691

REPRESENTING WHOM? MONT. STATE VOL. FIREMEN'S ASSOC

APPEARING ON WHICH PROPOSAL: HB 139

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Ray DeLeon DATE: 11/1/77

ADDRESS: 1424 H. Washington St. S.E. Wash. D.C.

PHONE: 7-15-X-75

REPRESENTING WHOM? *Self* - *Wm. H. Hays*

APPEARING ON WHICH PROPOSAL: 47-1-1

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: *Left chest pain, body temperature 101.4*

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

Ellen Knight
5800 Rattlesnake
Missoula, Mt. 59801

January 20, 1981

Dear Rep. Eudaily,

I am writing about your bill HB 139 which would change (potentially) the voting procedures for rural fire districts among other things. The reason I am concerned about this is something that happened to me a few years ago. When voting at a school election it was brought to my attention that an election for rural fire district board members was taking place at the same time, but at the fire house. I consider myself to be a fairly well informed voter, but prior to that time I had not even heard of these elections. I assumed that many other people also do not know about them. So I took it upon myself to see if my theory was correct, and I did a little research. Here is what I found.

1. The County Clerk and Recorders office had no records of the fire district elections.
2. I finally tracked down a fire district board member who told me the following:
 - a. The Missoula Rural Fire District has a potential of about 37,000 voters.
 - b. In the elections held at the various fire houses 32, repeat, 32 people voted.
 - c. The Missoula Rural Fire District had a budget that year of approximately \$500,000.
 - d. The rural fire districts set their own budgets and the county collects the taxes accordingly.

I realize that when elections are held in conjunction with school or county elections that it costs the fire district a fair amount of money, an excessive amount in the judgement of some. I agree that elections can be quite expensive, but the voter turn-out was totally unacceptable, particularly with a budget as large as theirs and with taxing authority which goes virtually unscrutinized. I have no reason to think that our fire district is doing anything other than a good job, but I strongly feel that voters ought to have a better and more clearly defined role in electing these board members. The potential for mismanagement of funds or other problems certainly is increased by the lack of any public involvement.

I was pleased to see that the rural fire district board candidates were included in the last county election. I thought that was one step in the right direction. I have also noticed that board meetings have been announced recently in the "Around Missoula" column...as they should be and as they were not before. I urge you to keep fire district elections at the same locations as the county elections. Surely the election problems faced by the districts can be solved in some other way that is not at the expense of voters voting.

I would very much appreciate hearing from you on this. Thanks very much for your time and good luck in "surviving the session!"

Sincerely,
Ellen Knight
Ellen Knight

Opp. 154 2-6-81

League of Women Voters of Montana 6 Feb 81



Margaret S. Davis
Helena, Montana 59601

HB 172 - Oppose
Removing district elections from Title 13

By these remarks I mean to cast no aspersions on those serving as commissioners or trustees in these special districts. These people have dedicated themselves to providing essential services to these areas. However, these districts range greatly in size and population and many are in the "big leagues" with big figure budgets.

The League of Women Voters is concerned about the changes in special district elections. These districts have considerable powers - they are in essence independent, autonomous taxing authorities with the power to issue bonds. They are not accountable to county elected officials.

The original legislation creating each district stipulated annual elections as a safeguard for the taxpayers of each district. Having provided that safeguard, the League believes these elections should be the best elections the law can provide.

We believe that elections should be held at the same times and places as other elections. While HB 172 sets school election day as the date, it makes cooperation with the appropriate school districts optional. The election may take place "at an annual meeting or at another convenient location" (page 7, Sec. 8.2). The hours for voting may be severely limited under this provision. The election "procedures" specified in Sec. 8 (page 7) are remarkable in their lack of direction and accountability. They fail to mention ballots, election judges, poll lists of voters, reporting of results, or any of the things associated with an orderly election to which citizens are entitled.

The decision to include special district elections in the consolidated election laws was not reached lightly. This action was recommended in the 1973 study which grew out of a legislative study made in 1968. The consolidated laws do present some problems regarding special districts, but it seems more logical to work within Title 13 to resolve these difficulties. To scatter election procedures throughout the codes would be to turn back the clock.

The citizen's most direct and precious link with government is through an election. The law should assure that qualified electors have convenient access to participating and that their votes will be handled according to standards meeting the provisions of Article IV, Section 3 of the Montana constitution.

Sample mill levies (Montana Taxation - 1981) for special districts:
Missoula County - Fire - 7.55 to 25.54 mills, hospital - 7 mills
Park County - Fire - 2 to 22.50 mills
Prairie County - Fire - 4.12 to 2.77 mills
Roosevelt County Hospital - 6 to 12.12 mills

Margaret S. Davis

Oppose #139 2-6-81

Missoula

FIRE PH. 549-6171
BUS. PH. 549-6172

Rural Fire District

2521 SOUTH AVENUE WEST . MISSOULA, MONTANA 59801

February 4, 1981

Senator Pete Story
Montana State Senate
Capitol Station
Helena, Montana 59601

Dear Senator Story:

Missoula Rural Fire District would like to go on record in opposition to HB 139.

Removing the annual elections of fire districts from the consolidating provisions of Title 13 would once again create the problem of having very few fire district residents electing members to the Board of Trustees, a Board which handles a budget of over \$600,000.00 per year.

We feel leaving the election combined with the County's primary and general elections will give the public greater knowledge of and exposure to the governing body of the fire district.

Thank you for considering our opposition to HB 139.

Sincerely,

Bruce

Bruce Suenram, Fire Chief
Missoula Rural Fire District

BS:lcd

NAME: Alan Davis DATE: 2/6/91

ADDRESS: 32 Ewing

PHONE: 449-3700

REPRESENTING WHOM? Montana Department of Natural Resources & Cons.

APPEARING ON WHICH PROPOSAL: SB 259

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

DATE

2-6-81

COMMITTEE ON

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Det. T. Funn	Ravalli Co. Clerk & Recorder	H.B. 139	✓	
Janet E. Hughes	Ravalli Co. Clerk & Recorder	HB 139	✓	
Barbara L. Rhodes	Save the Kootenai	SJR 5		✓
Mary Wilham	Self	SJR 5		✓
Margaret Morris	League of Women Voters	HB 139		✓
Beta Jacobson	Weto	SJR 5	✓	
Joyce E. Brooks	MAN	SJR 5	✓	
George R. Johnson	Self	SJR 5	✓	
Paul Wilson	Montco	SJR 5 SJR 5		
Alan Davis	Department of Natural Resources	SB 259	✓	
Pat Stewart	Br. Coal Council	SJR 5	✓	
Bill Hand	Mt. May. Assoc.	SJR 5	✓	
Karen Strickler	League of Women Voters	SB 259		
Dee Hermes	Senator Towe			
Lung Murphy	Mont. Farmers Union	SJR 5	✓	
Ellen Ditzler	ETC	SJR 5		✓
ART KORN	1916 So WASH. ST. BUTTE	HB 139	✓	
R. F. Ellis	1795 SIERRA Helena MT	HB 139	✓	
Dave Fisher	1908 So Wash St Butte	HB 139	✓	
Frank Butoni	3607 E Lake Butte	HB 139	✓	
LARRY DARCY	Dept of Administration	SB-259	✓	
C. GILBERTSON	DISASTER & ENG Soc	SB 259	✓	
Don Allen	MT. Petroleum Assoc	SJR 5	✓	
Charles Lee	MUWA	HB 139	✓	
Mike Walker	MSC & F.F.	HB 139	✓	

(Please leave prepared statement with Secretary)