#### MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

#### SUBCOMMITTEE ON JOINT REVENUE ESTIMATING

Call to Order: By Chairman Bob Ream, on February 8th 1989, at 5:30 p.m.

#### ROLL CALL

Members Present: Rep. Ream, Rep. Ellison, Rep. Giacometto, Rep. Patterson

#### Members Excused:

- Members Absent: Sen. Brown, Sen. Eck, Sen. Gage, Sen. Harp, Sen. Norman, Sen. Walker, Rep. Driscoll, Rep. Schye
- Staff Present: Dave Bohyer, Legislative Council, Maureen Cleary, Committee Secretary
- Announcements/Discussion: Rep. Ream addressed the Committee noting that the Senate was still in session and that those from the Senate would not be present. But because there were guest speakers, the Committee would allow them to present their testimony and not take any action at this time.
- Ms. Madalyn Quinlan/LFA: Reviewed Exhibit #1 with the Committee present. The price is based on coal prices bottoming out in 1988-89. 1988 production was high due to drought this year. Projections are based on a decline in the production in 1989 and small increases in 1990 and 1991. The decline in 1989 is less because less severe effects from drought are expected.
- Rep. Ream: Could you provide us with the differences in the mine prices? Ms. Quinlan: We could provide that to the Committee, but it isn't helpful. There tends to be shifts. You may see a difference, but other producers may see some increase.
- Mr. Terry Johnson/REAC: Reviewed the Executive figures listed on Exhibit #1. REAC, we actually contacted the coal company's at that time. In October, they gave us actual figures. We adopted the recommendations from the coal companies. The underlying assumption is based on zero-growth in the contract sales price.

- Mr. Jim Mockler/Montana Coal Council: Reviewed Exhibit #2 with the Committee. We assume these figures are correct. There may be a difference in that their figures do not include the Westmoreland side. I will say that with the passage of House Bill 4, it would appear that the 32.88 million tons, will be conservative. I think we will likely see a 3-4 million ton increase, but a fairly low price. I think the figures are conservative from LFA and price I cannot get into because of the anti-trust law.
- Rep. Ream: Next week we will be making a preliminary report from the Revenue Estimating Committee for 1990-91. Could you provide something on that? Mr. Mockler: We are very hesitant. The volatility of that market could cause us to embarrass ourselves no matter which way we go.
- Mr. Ken Williams: There is a lot of coal out there and little difference in the price growth we are competing within the market.

#### QUESTIONS FROM THE COMMITTEE:

- Rep. Ellison: How much lower is the spot market than regular contracts? Mr. Mockler: Somewhat lower. Mr. Williams: If you are comparing it against this price, you look at spot market coal at the \$7 to \$7.50 range. Mr. Mockler: \$5 to \$6, plus tax. Rep. Ellison: Do we have any actual figures on the coal tax credit? Ms. Quinlan: We just received the information in December and the figures take a few weeks to process and calculate.
- Rep. Ream: You do not have coal tax credit for 1991? Ms. Quinlan: They present this to you, that the credit is earned in one calendar year and taken into the next year. There is no need to figure that number. Rep. Ream: You show a fairly large discrepancy between Executive and the LFA figures for 1991. Ms. Quinlan: My projections are based on coal qualifying for credit. Rep. Ream: with the passage of House Bill 4 will that affect it? Mr. Mockler: Yes. As you increase tonnage you increase credits proportionately. Ms. Quinlan: When comparing the Executive figures and the LFA, the difference could be that I am using this as earning the credit.
- Mr. Johnson: What you are saying by your figures is that we are actually going to have a decline in production? Mr. Mockler: Yes. We would anticipate some decline in production, including Westmoreland. It is difficult to speculate on the spot market.

- Rep. Ream: questioned Ms. Quinlan about the differences in the figures from Western Energy in particular. Ms. Quinlan: I feel the estimates are appropriate. If you tend to increase your production, your price will lower. Mr. Johnson: We do have the calendar year 1988 data: 37.7 million tons. Westmoreland is not required to report the ceded strip figures now. We attempted to get that number, but not all the numbers are included.
- Mr. Johnson and Ms. Waldron reviewed the oil figures listed on Exhibit #1. Mr. Johnson noted when you adopt assumptions on oil, other sources are affected likewise. Our recommendations were based on testimony from Janelle Fallan, and using Wharton Econometrics. No one really knows what will happen to OPEC and ultimately what they will do with their production levels.
- Ms. Jannelle Fallan/Montana Petroleum Association: Reviewed

  Exhibits #3, and #4. We were more optimistic in our
  figures. In terms of price projections we do not base our
  information on any one company. Ours is based on published
  information. We have the same anti-trust concerns about
  price as does Mr. Mockler. I do not find anything that
  either Mr. Johnson or Ms. Waldron said that I would disagree
  with.
- Rep. Patterson: Are we going to see an increase in production from the stripper wells? Ms. Fallan: It isn't a question of increasing stripper wells, it is a question of keeping the stripper wells going that we do have, rather than abandoning.
- Rep. Ream: Your figures for the fiscal year production are not too different, any comment on 1991? Ms. Waldron: The Executive shows a decrease to continue. Mr. Johnson: The total oil production levels show a leveling off in 1991. No one really knows what will happen in 1991, but I think the issue that you have to look at is that production has been declining for a number of years now and for that to stop I find hard to believe. I think there is a normal transition in terms of production decline curves that actually take place on a well-by-well basis. What you would have to have is new production that is higher than the normal rate of decline. So I don't think that it is unrealistic to think that production will decline.
- Figures from Exhibits numbered #1 and #5 were reviewed with the Committee members in regard to Natural Gas and Metal Mines.

  Mr. John Fitzpatrick/Pegasus Mines, was present. No questions from the Committee were asked.

#### **ADJOURNMENT**

Adjournment At: 7:00 p.m.

REP. BOB REAM, Chairman

BR/mc

SUB.5

### DAILY ROLL CALL

# Joint Revenue Estimating COMMITTEE

51stegislative session -- 1989

Date 2/8/89

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Sen. Brown			
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Sen. Gage	•	~	
Sen. Harp			
Sen. Norman			
Sen. Walker		~	
Rep. Ream, Chairman	1		
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10-2010 (REV. 8-84)

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Terry/Judy 2/08/89 EXHIBIT #1 DATE 2/08/89 HB HJR13

#### PRODUCTION ASSUMPTIONS

	(1) 1982	1983	(1) 1984	1985	1986	1987	1988	1787
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L (M BBLS)	30,937.5	29,320.4	Q.66a.0	(1) 29,770.0	(3) 27,045.0	(3) 25,059.0	(4) 23,637.0	(4) 21,982.0
s (MHCF)	48,337.8	46,422.B	48,396:3	(2) 44,330.0	(2) 39,443.0	36,430.0	(4) 34,240.0	(4) 32,190.0

(1) D. D. R. PUBLICATION

(2) FROM DOR-BAS SOLD

(3) MONTANA DAG COMM (4) SHELL ESTIMATE

exhibit #1 2/08/89

## OFFICE OF THE LEGISLATIVE FISCAL ANALYST A Comparison of Economic Assumptions

	A Comparison of	EXHIBIT # 1				
		1988	1989	1990	PAJE	2/08/89
OIL	SEVERANCE TAX STATISTICS				HB	HJR 13
FY	GENERAL FUND REVENUE (Milli-Executive	ons)	\$13.536	\$14.439	,	
	LFA		\$12.943	\$12.680	\$13.467	eg t
CY	MONTANA OIL PRICE Executive	\$14.500	\$15.000	\$15.500	\$16.000	•
	LFA	\$14.150	\$14.170	\$14.720		
FY	MONTANA OIL PRICE Executive	\$16.487	\$14.476	\$15.176	\$15.587	
	LFA	\$16.430	\$14.030	\$14.360	\$14.900	
CY	TOTAL PRODUCTION (Millions) Executive	22.500	21.500	20.000	19.000	• • •
	LFA	22.240	21.408	21.252		
FY	TOTAL PRODUCTION (Millions) Executive	23.547	22.275	21.131	19.754	
	LFA	23.308	21.909	21.252	21.252	
FY	EXEMPT NEW PRODUCTION (Mill Executive	ions) 0.613	1.105	1.048	0.980	
	LFA	0.609	1.712	1.878	1.463	
FY	EXEMPT STRIPPER PRODUCTION Executive		1.648	0.	0	
	LFA	1.709	1.636	1.602	1.602	
NATU	RAL GAS SEVERANCE TAX STATIS	TICS				
FY	GENERAL FUND REVENUE (Milli Executive	ons)	\$1.143	\$0.999	\$1.035	
	LFA		\$1.055	\$1.036	\$1.135	
META	L MINES TAX STATISTICS					
FY	GENERAL FUND REVENUE (Millie Executive	ons)	\$3.691	\$4.145	\$3.595	
	LFA		\$4.242	\$4.336	\$3.703	

			₹ ·			exhibit#1
C	OAL	SEVERANCE TAX STATISTICS	1988	1989	1990	2/08/89 1991 EXHIBIT ₩ I
	FY	GENERAL FUND REVENUE (Million Executive	s)	\$8.918	\$7.235	DATE 2/08/89 HB249 HURI3
		LFA	٠	\$9.137	\$7.318	\$6.594
	CY	COAL PRODUCTION (Millions) Executive	34.428	31.000	29.633	30.833
		LFA	35.297	32.179	33.153	33.838
		Actual	36.879 (37.7) I	988 Actu	al data.	
	CY	COAL PRICE Executive	\$7.769	\$7.687	\$7.780	\$7.780
		LFA	\$7.330	\$7.320	\$7.470	\$7.450
		Actual	\$7.385			
	CY	COAL TAX CREDITS (Millions) Executive	\$5.800	\$4.357	\$2.764	\$1.842
		LFA	\$6.519	\$4.460	\$4.614	



February 8, 1989

#### MEMORANDUM

To: Revenue Estimating Commitatee

From: Jim Mockler

Re: 1989 Coal Production Estimates

To the best of our ability, coal production for Calendar 1989 will be as follows:

Peabody Coal Co.

Westmoreland Resources

2.8 million ton

Western Energy Co.

Spring Creek Coal Co.

Decker Coal Co.

Knife River Coal

3.5 million ton

4.5 million ton

9.58 million ton

2 million ton

32.88 million ton

With the probability that HB 4 will pass in the near future, it is foreseeable that we will be able to market additional tonnage. Because of the volatility of the market, concrete predictions are impossible. However, an increase of 10%-15% is conceivable.

Prices probably will remain stable for the period. Antitrust considerations prevent me from collecting that information, but in the past the Legislative Fiscal Analyst has done a good job in that area.

EXHIBIT #3
DATE 208189
HB HURIS

2/08/89 WALL St. Journal 2-6-89

#### 50 CENTS

#### Volatile Fuel

As Northeast's Need For Energy Grows, Gas Becomes a Natural

Coastal Raid on Texas Eastern Shows Rekindled Interest In Vital Pipeline System

The Effects of Deregulation

By Caleb Solomon And Dianna Solis

Staff Reporters of THE WALL STREET JOURNAL.
It is bigger than airlines, fast-food and broadcasting combined, but you don't see it. And by most standards, it is flat on its back. It is the natural-gas industry.

Prices inch lower by the month. Year by year, demand forecasts have turned to folly, either overestimated or underestimated.

mated.

Regulators have changed the rules for the umpteenth time. Billion-dollar litigation understood by only a handful of law.

yers has crippled balance sheets.

So why is Oscar Wyatt, one of the energy industry's cagiest and most hard-nosed executives, gambling \$2.5 billion on taking over Texas Eastern Corp. in Houston, a company in the distinctly unglamorous business of transporting natural gas through a pipeline?

Northeast's Needs

Because that pipeline serves New York, and the rest of the Northeast, a region desperate for energy. "We've got 18 to 20 million people depending on this complex system for home heating, for cooking," says. Dennis R. Hendrix, Texas Eastern's president.

More will need it soon as the region's energy needs grow. Natural gas is ready to

come back from the dead.

Mr. Wyatt's Coastal Corp., based in Houston, operates a luge pipeline system in the Midwest and plans to build one to another growth market, California. If the company's bid for Texas Eastern succeeds, Coastal would become the nation's second-largest pipeline operator. (after Enron Corp.), with a coast-to-coast network. The time for such growth appears particularly ripe.

tricity suppliers were close to panicking. Last summer, Boston Edison Colipleaded with downtown office buildings to shu off their air-conditioning systems because it was running out of power. A month ago, the entire New England electricity "grid" came up short of electricity, forcing it to buy power hurriedly from other power systems.

Just Friday, in yet another, possible pipeline-related takeover, Pennzoll Co. quietly told the Securities and Exchange Commission that it had bought 8%, or \$300 million worth, of Burlington Resources. (See story on page A3.) Burlington's El Paso Natural Gas Co. is a big supplier to another region craving natural gas: California

In the Northeast and on the West Coast, the potential for growth in natural gas demand appears increase by the day. Today, for instance, Texas Eastern's system is operating flat out. California, on top of many other uses, needs more natural gas to run the big pumps that lift the heavy, sludgelike crude from its fields.

#### The Nuclear Disaster

Those who promised an age of nuclear power look like false prophets. Indeed, the electricity gaps opened by the troubles at the Seabrook nuclear plant in New Hampshire and the Shoreham plant on New York's Long Island were a factor in Coastal's urge to raid Texas Eastern, Coastal officials say. Other fossil fuels pose vexing new problems, Acid rain has clouded coal's future in the Northeast. Fears of global warming raises questions about oil, which could become scarce in the next decade, anyway.

That leaves natural gas as the savior fuel. Practically overnight it is being touted as the "fuel of the future" by environmentalists, wildcatters, pipelines and politicians from the Rio Grande to Boston

But what about the economics of natural gas? Can the nation afford to stake its energy future more heavily on this clear, odorless fuel? And how reliably will the industry perform?

The answers to these questions remain unclear. In short, nation's natural-gas consumers remain ignorant of the pipeline industry's readiness to dominate the energy scene in the Northeast, and its efforts to shape America's energy future in other significant ways. "I don't think the average citizen understands the whole pipeline business, let alone understands Oscar Wyatt," says Roger Gale, a former staffer at the Federal Energy Regulatory Commission.

Happily for consumers, the nation has centuries' worth of natural gas, compared with only a few decades' supply of oil. Moreover, there are no natural-gas cartels to conduct embargoes or otherwise withhold supplies. Hundreds of oil companies compete fiercely to sell natural gas, which is one reason it remains so cheap. (On the basis of the equivalent energy, oil still sells for substantially more than gas.)

But the delivery of gas is controlled by

But the delivery of gas is controlled by pipeline companies, ever fewer in number as a result of takeovers, with such little-known names as Panhandle Eastern, Sonat, Arkla, Tennessee Gas and, of course Texas Eastern. Through more than 1.1 million miles of mostly underground pipes, these and other companies last year hauled 18 trillion cubic feet of natural gas

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### Rekindle Interest in Natural Gas

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DATE ZIDBIB9
HB HJR13

ex humt #4 2/08/89

#### Shell Oil Company



Two Shell Plaza P.O. Box 2099 Houston, TX 77252

October 21, 1988

Mr. William Mathers, Chairman Revenue Estimating Advisory Council Office of the Governor Capitol Station Helena, Montana 59620

#### Gentlemen:

This is further to the information presented to you on June 9, 1988. At that time, we projected the West Texas Intermediate (WTI) Crude would average about \$18.00 for calendar years 1988 and 1989. Unfortunately, that appears to be an optimistic projection for 1988 and probably for 1989 as well. The basic cause is the inability of OPEC to adhere to, or even agree on, production quotas, and the reduced hostilities between Iran and Iraq. Saudi Arabia also continues to exercise its significant influence on the market.

As stated earlier, the information I submit is my opinion only and is based on publisher information. Several recent articles are attached for your information. The referenced crude is West Texas Intermediate. Also, attached is a graph showing the WTI mid-month postings for 1988 to date with estimates for the last two months.

In conclusion, it is recommended that, for revenue estimating purpose, the 1988 estimate be revised to \$15.00 and 1989 to \$16.00. I regret that I was unable to attend your meeting in person as I always enjoy the visits to Helena.

Please let me know if you have further questions, or if I can assist in any way possible.

Very truly yours,

J. G. McCracken Manager Western Tax Region

JGM/es

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