

Fighting the good fight: Part I **Montanans vs. MSTI**

By Leesa Zalesky

The group Concerned Citizens Montana (CCM) was born when Northwestern Energy (NWE) brought forth a proposal to construct, operate, and maintain the Mountain States Transmission Intertie (MSTI), a 500-kilovolt, 1,500-megawatt transmission line that is intended to deliver electricity from Montana to customers in the western U.S. The proposed 430-mile route begins at the Townsend Substation, to be constructed five miles south of Townsend, MT, and proceeds south to southeastern Idaho where it will connect with Idaho Power Company's existing Midpoint Substation, 10 miles north of Jerome, Idaho. The MSTI line right-of-way width will be 220 feet, and its towers will stand 125 to 140 feet high, depending on terrain. NWE says that power carried on the MSTI line will be generated from renewable electric-generating facilities in Montana and that the MSTI line will serve as a conduit to deliver electricity to the western U.S. The project's cost is estimated at \$1 billion.

When the Montana legislature passed HB 198, commonly called the "eminent domain bill" last year to facilitate construction of MSTI, Montanans erupted in fury. A number of existing groups already opposed construction of the line, and other grassroots groups were formed over the issue. A common thread among the opposition emerged, and it surrounds the risk that a project of this magnitude brings to private property rights. A core group of individuals formed CCM to coordinate the multiple groups opposing MSTI and to provide a centralized spot for public information and education about the issue. They've taken on a job of mammoth proportions. The battle over Montana's energy policy and its impact on private property rights is far from over, with legal challenges now underway. Perhaps the best way to bring readers up to date on things is, through a series of articles, to introduce the people who have voluntarily devoted their own time and resources to defending every citizen's unalienable right to private property and to seeing that Montana's energy policy protects and benefits its citizens. We begin the series with Cam Cooper of Twin Bridges, MT.

Camron (Cam) Cooper is, without a doubt, the most private person I have ever had the pleasure to meet and get to know. The personal information here wasn't something she offered. In fact, she resists being made the sole subject of any article. Hers, however, is a story well worth telling, and it's indicative of the many human assets hidden away in Montana. Cam grew up the daughter of a Missouri farmer, who became an economic victim of the Dust Bowl. After losing the farm, Cam's father moved his family to California, where she was born, and he went to work for the Western Fruit Growers' packing house. Cam remembers helping her father work the smudge pots of the San Bernardino County, California, orchard that he managed. Her job was to keep the fire going in the pots in order to keep the frost from killing the crop when the temperatures dipped.

A graduate of Stanford University, Cam earned a degree in economics that she put to work for years as a Wall Street securities analyst until the mid-1970s when she found that, with the deregulation of Wall Street, "ethics were not paramount." She made a professional move, hiring on with ARCO (Atlantic Richfield) and becoming a senior financial executive where she had a brilliant career in what was then an industry dominated by males.

Before retiring, Cooper served her community in many different capacities, including as a trustee on the board of the Children's Hospital of Los Angeles, as a trustee of Scripps College, and as a director for the Los Angeles County Museum of Natural History and the Greater Los Angeles Zoo Association. She was also a director for Lyondell Petrochemical and the Seaver Institute. In 1983, Savvy magazine named Cooper to its roster of "Outstanding Women Executives," and that same year, she was honored by Catalyst, a national organization working to foster women's participation in business and professions.

Cam moved to Montana in 1994 after purchasing property on the Big Hole River southwest of Twin Bridges, MT, fairly determined to live out her life in quiet retirement as a rancher in Big Sky Country. Since the move to Montana, she's been in the cattle business, running a respected purebred Angus seed stock operation she named the Talon Ranch. Throughout her life, Cam has been particularly interested in helping youngsters by providing them with the opportunity to reach their full potential. To that end, in March 2009, Cam -- together with the Angus Foundation -- established the Angus-Talon Youth Educational Learning Program Endowment Fund to provide scholarships for undergraduate and graduate students majoring in animal sciences, range management, beef cattle management, and other cattle-related fields. The fund also provides for student internships on a ranch. Cam began funding the scholarships in 2010 and has bequeathed her ranch and its assets, including the cattle herd, to the Angus Foundation to ensure the future of the program.

When MSTI and the issues surrounding it came along, Cam recognized the risks at stake and the consequences that would come from energy policy that fails to prioritize the citizens of Montana and their rights. She got involved, and today, Cam serves on the executive board for CCM; she was one of the group's founding members. CCM seeks to maintain Montana's unique and important lifestyle by empowering local governments and the citizens they serve to have a voice in the decision-making process. The organization serves as a clearinghouse for public information and unites citizen efforts and resources to ensure that corporations, state and federal agencies, and elected officials are representing sound energy policies that are in the best interest of Montanans. CCM currently has approximately 3,000 supporters representing diverse issues, including ranching, small business, tourism, education, historical and cultural resources, government, recreation, real estate, public health and safety, and energy rates.

Q. You're on the executive board for Concerned Citizens Montana (CCM). Tell readers about the group, when and why it was formed and why you've chosen to become involved.

Cooper: More than two years ago, various groups in southwest Montana were formed to fight MSTI and to gain representation in the deliberations, but the efforts were somewhat fragmented. Consequently, we formed Concerned Citizens Montana in September 2010 in an effort to help coordinate and concentrate the voices. While the individual groups are all still operative, CCM provides focus for educating the public on the costs and impacts of MSTI. I became one of the founding members of CCM since I was convinced that we needed to coalesce around stopping the Northwestern Energy steamroller, which was gaining speed and power and running over private property rights and protections. I'm proud to serve with many

concerned citizens, who are fighting to educate Montanans on the risks to our way of life.

Q. Will the MSTI transmission lines cross your ranch?

Cooper: The proposed MSTI transmission lines do not come across my ranch YET, but they would be well within my viewshed to the west and south. Of course, it would be tough to miss with a right-of-way, which is 220-250 feet wide, plus all the access roads and staging sites. The towers would be at least 140 feet tall. According to the last Draft Environmental Impact Statement, the line would cross 157 miles of grazing land in Montana. Do you think cows are going to cozy up to the snapping and zapping of a 1,500-megawatt transmission line emitting electromagnetic fields? Do you think fishermen are going to want to put in at the access site of Notch Bottom where the proposed route would cross the Big Hole River? And by the way, the destruction of property values is not limited to land condemned for placement of the line. If it is in proximity to your property or in your viewshed, it will, without doubt, reduce its value.

Q. There's no doubt that MSTI is a highly controversial and political issue in Montana... in fact, the issue reaches further than Montana... and you've been involved from the beginning. What sort of politics have you and CCM experienced in your opposition to MSTI?

Cooper: The political aspects of MSTI are astounding. The one with the most impact was when the 2012 Montana Legislature narrowly passed House Bill 198, which altered the existing Montana eminent domain laws and made the changes retroactive. The consequences of HB 198 were tailored for the Canadian company building the Montana Alberta Tie Line (MATL) and for NorthWestern Energy to build MSTI.

The whole episode made me ashamed to be a lifelong Republican. The bill was proposed by Rep. Ken Peterson (R-Billings), who is now a candidate for Governor of Montana. He characterized it as a "clarification," not a "change." Although it sailed through the House despite widespread grassroots opposition from Montana citizens, it got bottled up in committee in the Senate. Then the President of the Senate, Jim Peterson, connived with Governor Schweitzer, who held a closed-door meeting over the last weekend of the session with some of the Democrat no-votes and persuaded them to change their votes to "aye". It got blasted out of committee at the last minute and passed. Then Governor Schweitzer pulled a "Pontius Pilate" move and washed his hands of the bill, allowing it to be implemented without his signature. Another Republican gubernatorial candidate, Jeff Essman, was the Majority Leader of the Senate at the time, and he strongly pushed to pass HB 198. All this political chicanery was done under the aegis of "job creation," although the DEIS stated that there would be a total of 205 jobs in Montana during construction -- "most for out-of-state workers." The Legislature drank the KoolAid dispensed by NWE and MATL. When it comes to voting this year, Montanans should ask what the position of their candidates is on HB 198, eminent domain condemnation laws generally, and protection of private property rights. Are they for or against the rights of their constituents or the rights of corporations?

Q. Have your MSTI-related political experiences jaundiced you just a bit about the political process?

Cooper: I am as disgusted as most Americans are by the venality, hypocrisy, and duplicity of many of our politicians. Surely the voters are too smart to donate money to, or vote for, any candidates that favor rampant eminent domain condemnation, the denial of due process, and the forfeiture of private property rights.

Q. There is mounting concern that NWE does not have subscribers, or supply contracts, for the power the company intends to transmit over MSTI, which is something CCM is monitoring closely. Please explain.

Cooper: Obviously, NWE is not big enough to build MSTI by itself, and it admits readily that it will need a 50% partner. But here's the thing of it. The normal way to finance transmission projects is by supply contracts, take-or-pay contracts, and/or through-put agreements. At this time, NWE has no customers to take or pay for the transmission. They have no suppliers contracted for input. And they have nothing to "through-put" on this gigantic 500-Kv, 1,500-Mw line. NWE has already held two "open seasons" to solicit customers for MSTI power, both of which elicited nothing. They have recently announced a third "open season."

Bear in mind that MSTI has nothing for its Montana customers. It seeks an end-market in California, Nevada, or Arizona. The big question is this: "Why is MSTI needed at all?" Could the big answer be that "NWE wants the construction permit as an asset in order to sell it for millions and millions of dollars to another out-of-state company or even a foreign entity?" Bear in mind that NWE is the successor company to Montana Power, which sold off all its generating facilities, became a merchant buyer of power, converted to Touch America (a wireless communications operation), and went bankrupt in the 1990s... which doesn't give a lot of comfort about their business acumen.

Q. As I understand it, CCM has retained the well-respected and nationally recognized private property rights attorney, Karen Budd-Falen. Is that correct?

Cooper: In my opinion, the constitutional issues we are fighting for will end up for resolution in court, maybe even at the U.S. Supreme Court. Recognizing this as a consequence, CCM retained the nationally-known and highly-respected attorney Karen Budd-Falen to represent us all. Her expertise is focused on private property rights and the Constitutional issues thereof. We needed the best and most experienced representation we could possibly get, and we believe we have found it.

CCM and private property owners in Montana are caught in a pincer movement. The well-financed forces of NWE, MATL, and various politicians have encircled us, just like Nazi General Erwin Rommel's panzer tank units did in WW II. This may sound overly-dramatic, but I really think we are in a fight for our rights and livelihood. Rommel came to an untimely end, thanks to General George Patton, who broke the pincer tactics and destroyed the German tanks.

We are fighting for our rights, and we intend to break apart the pincer movement. Losers just let things happen. We don't intend to lose.



Camron (Cam) Cooper

