

COMMISSIONER OF
POLITICAL PRACTICES



STATE OF MONTANA

JEFF MANGAN
COMMISSIONER
TELEPHONE (406) 444-2942
FAX (406) 444-1643
www.politicalpractices.mt.gov

1209 EIGHTH AVENUE
P.O. BOX 202401
HELENA, MT 59620-2401

May 8, 2020

Gary M. Matson
P.O. Box 308
Milltown, MT 59851

Subject: Complaint received May 7, 2020; *Matson v. O'Donnell*,
COPP-2020-ETH-REJ-003

Gary:

I write in response to your complaint, received by this Office on May 7, 2020. I am returning your original complaint with this letter because the complaint does not assert an ethics violation over which this Office would maintain jurisdiction.

Your complaint does not allege or otherwise detail any specific violations of Montana's Code of Ethics. Please see Montana Code Annotated Title 2, Chapter 2, Part 1 for Montana's full Code of Ethics.

I thank you for thinking of our Office. Best wishes to you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey A. Mangan".

Jeffrey A. Mangan
Commissioner of Political Practices

Commissioner of Political Practices
1205 Eighth Avenue
Post Office Box 202401
Helena, MT 59620-2401
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RECEIVED

2020 MAY -7 A 11:45

COMMISSIONER OF
POLITICAL PRACTICES
HAND DELIVERED

SIGNED/NOTARIZED

Ethics

Complaint Form (10/17)

Person bringing complaint (Complainant):

Type or print in ink all information on this form except for verification signature

Complete Name

Gary M. Matson

Complete Mailing Address

PO Box 308, Milltown MT 59851

Phone Numbers:

Work

Home (406) 370-6584

Person or organization against whom complaint is brought (Respondent):

Complete Name

Tony O'Donnell

Complete Mailing Address

Montana Public Service Commission

PO Box 202601, Helena MT 59620-2601

Phone Numbers:

Work

Home (406) 444-6199

Please complete the second page of this form
and describe in detail the facts of the alleged violation.

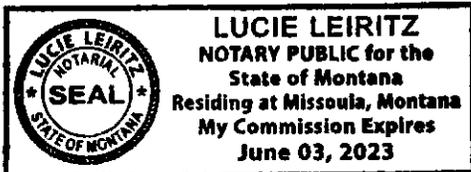
Verification by oath or affirmation

State of Montana, County of missoula

I, gary m. matson, being duly sworn, state that the information in this
Complaint is complete, true, and correct, to the best of my knowledge and belief.

G. M. Matson
Signature of Complainant

(SEAL)



Subscribed and sworn to before me this 4th day of
May, 2020

Notary Public

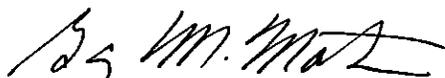
My Commission Expires: June 03, 2023

Public Service Commissioner Tony O'Donnell participated in a press conference, held April 29, 2020 for the purpose of promoting a process that would be favorable to Montana Utilities in moving ahead with a proposed purchase of Colstrip Unit 4. The purchase is the subject of an application for approval of capacity resource application by NorthWestern Energy now pending with the Public Service Commission.

The Billings Gazette's reporter Tom Lutey quotes Public Service Commissioner Tony O'Donnell in his Missoulian story of 5/2/20: "This is a PR bonanza for them," O'Donnell said of the (Colstrip) owners. They can say 'We caused the problem and now we are fixing the problem by turning waste to wealth.'" O'Donnell was referring to an unproven, untested proposal by the Tennessee company RamRock to turn the toxic Colstrip coal ash waste into concrete. Montana's DEQ has not received the required Beneficial Use Determination for this proposal. Talen Energy has expressed "...serious concerns about the technical feasibility and financial viability of their proposal that RamRock has not yet sufficiently addressed,..."

O'Donnell's appearance and statements at a press conference constitute a promotional effort in favor of NorthWestern Energy's purchase of Colstrip Unit 4. It is unethical for a PSC Commissioner to publicly advocate in favor of a party (NorthWestern Energy) with an application pending with the Commission, particularly regarding an untested, unproven process that would make the party's application appear more favorable in the PSC application review process.

PSC Commissioners are ethically bound to protect and support Montana ratepayers, not to promote the status of the utilities they regulate.



Gary M. Matson

May 4, 2020