

APPLICATION FOR
PUBLIC SERVICE COMMISSIONER

A. PERSONAL INFORMATION

1. Full name.

Nicholas (Nick) Robert Fitzmaurice

2. Birthdate.

[REDACTED]

3. Current home address.

[REDACTED]

4. Email address.

[REDACTED]

5. Preferred phone number.

[REDACTED]

6. Public Service Commission District 2 is comprised of House Districts 39, 40, 41, 42, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 61, and 62. Please identify the House District in which you reside.

House District 61

7. Date you became a U.S. citizen, if different than birthdate.

N/A

8. Date you became a Montana resident.

[REDACTED]

B. EDUCATIONAL BACKGROUND

9. List the names and location (city, state) of schools attended beginning with high school, and the date and type of degree you received.

Montana State University, Bozeman, MT – May 2023, *Summa Cum Laude*

- *Industrial & Management Systems Engineering [BS]*
- *Sustainability & Environmental Stewardship minor*
- *Honors Liberal Arts Baccalaureate*
- GPA: 4.00/4.00

Liberty Bell High School, Winthrop, WA – June 2019, *Valedictorian*

- High School Diploma
- Honors Diploma
- GPA: 4.00/4.00

10. **List any significant academic and extracurricular activities, scholarships, awards, or other recognition you received from each college and school you attended.**

Montana State University

Activities

- Independent advocacy around NorthWestern Energy's rate case at the Public Service Commission (2022 – 2023)
- Campus Victory Project Prospective Leadership Retreat (2023)
- Industrial and Management Systems Engineering Capstone: City of Helena Glass Recycling Process Improvement (2023)
- Associated Students of Montana State University College of Engineering Senator (2021 – 2022)
- Campus Sustainability Advisory Committee/Council [CSAC]: Voting Student Representative for presidential advisory Sustainability Framework development and implementation committees (2021 – 2022)
- Sigma Phi Epsilon Substance-Free Personal & Professional Development-Oriented Fraternity [SigEp]: *President; Vice President of Programming* (2020 – 2023)
- Campus Climate Conference planning committee (2019 – 2022)
- Relevant employment while attending Montana State University listed later in application

Awards, Scholarships, & Recognitions

- ***Two-Time Rhodes Scholar Finalist*** – The world's oldest and arguably most prestigious scholarship for graduate education: Academic excellence; Energy to use one's talents to the full; Truth, courage, devotion to duty, sympathy for and protection of the weak, kindness, unselfishness and fellowship; and Moral force of character and instincts to lead, and to take an interest in one's fellow beings (2022, 2024)
- ***Udall Scholar Honorable Mention***: Leadership, Public Service, and Commitment to Environmental Issues (2021)
- ***Fundamentals of Engineering***: Passed exam as necessary step towards becoming a licensed professional engineer (P.E.) (2023)
- ***Order of the Engineer***: Upholding devotion to the standards and dignity of the engineering profession (2023)
- ***Christy Foundation Scholarship***: Bringing special recognition to MSU through meritorious community leadership and service (2023)

- *Frank J. Ruck Leadership Award*: SigEp chapter or individual with outstanding impact & leadership in the community (2022)
- *Sigma Phi Epsilon Tragos Quest to Greece Scholar*: National fraternity's highest undergraduate honor (2022)
- *Fraternity Member of the Year*: MSU Dean of Student's Office Fraternity and Sorority Life (2022)
- *Septemviri Outstanding Junior Award*: Extraordinary leadership and service to MSU (2022)
- *Outstanding Sophomore Leadership Award*: MSU Day of Student Recognition (2021)
- *Campus Sustainability Research Award Finalist*: Association for the Advancement of Sustainability in Higher Education (2021)
- *MSU Presidential Scholar*: MSU's most distinguished academic award for incoming students (2019)

Relevant Coursework:

- Honors Economics (Covering macro- and micro-economic theories)
- Energy and Sustainability
- Engineering Economic Analysis
- Economics of the Presidential Election
- Engineering Management & Ethics
- Project Management for Engineers
- Sustainable Business Practices
- Engineering Probability & Statistics I
- Regression & Multivariate Analysis
- Applied Thermodynamics
- Introduction to Systems Engineering
- Introduction to Linear Algebra
- Physics I & II with Calculus
- Calculus III (Multivariable), Calculus I & II (AP Calculus AB & BC Equivalent)
- Government & Politics (AP Comparative Government & Politics Equivalent)
- American History I & II (AP U.S. History Equivalent)
- The Joy & Beauty of Data – Introductory Computer Science Course (AP Computer Science A Equivalent)

Liberty Bell High School

Activities

- Student Body President (2018 – 2019)
- National Honor Society Vice President (2018 – 2019)
- Key Club Treasurer (2018 – 2019)
- Methow Valley Conservancy Land Trust Intern (2017)
- Methow Headwaters Project clean water advocacy (2017)
- Student-Athlete and Coach
 - Varsity Letters: Knowledge Bowl (State Champions), Soccer (Captain), Track, Cross Country, Tennis (MVP) (2016 – 2019)
 - Club Sports Coach: Ice Hockey and Swim Team (2017 – 2019)

Awards, Scholarships, & Recognitions

- *Valedictorian* (2019)
- *Jordan & Chase Brandenburg Memorial Scholarship for Community Leadership* (2019)
- *Sydney Gariano Memorial Scholarship for Community Service: Winthrop Kiwanis* (2019)
- *Leadership in STEM Scholarship: The Steiner Foundation* (2019)
- *Washington State Honors Award* (2019)
- *Loretta Casey Citizenship Award* (2019)
- *Evan Robertson Class Contribution Award* (2019)
- *Arts Excellence Award* (2019)
- *AP Scholar* (2019)
- *National Merit Scholar Letter of Commendation* (2018)

C. PROFESSIONAL EXPERIENCE

- 11. In chronological order (beginning with most recent), state each position you have held since your graduation from school. Include the dates, organization names, city and your position. Include the dates of any periods of self-employment and the name and address of your office.**

ENERGY TRANSITION ENGINEER - MONTANA ENVIRONMENTAL INFORMATION CENTER (May 2023 – Present)

Main Office in Helena: 324 Fuller Ave, #C-8; Based in Bozeman since July 2024

- Develop and implement MEIC's energy campaigns to promote a clean, affordable, and reliable energy future for Montana.

Engaging with the Public Service Commission, NorthWestern Energy, State Legislature, & Other Policymakers

- Lead MEIC's advocacy, public & media education, and formal intervention (when applicable) in coordination with legal counsel around NorthWestern's integrated resource planning (IRP), resource solicitations, and rate case proceedings.
 - Submitted pre-filed expert testimony in NorthWestern's 2024/25 rate case, retaining expert status by determination of PSC leadership following NorthWestern's motion for disqualification and several hours of hearing cross-examination.
 - Serve on NorthWestern's IRP Stakeholder Work Group and Demand Side Management Advisory Group.
 - Analyzed NorthWestern Energy's 2026 draft and final IRP documents in their entirety, developing a 40-page expert analysis for the Public Service Commission's consideration.
- Nimble respond through advocacy, education, and/or formal intervention to other NorthWestern Energy & PSC developments as they arise, including NorthWestern's proposed merger with Black Hills Energy, large load tariff proceedings, and resource acquisitions & rate treatment.
- Lead MEIC's engagement in rulemaking dockets at the Public Service Commission.

- Registered lobbyist for Montana’s 2025 legislative session, influencing legislative outcomes by preparing draft bills and bill amendments, maintaining relationships with legislators and lobbyists, and testifying at bill committee hearings.
- Track the Governor’s Energy Task Force as well as it’s Generation, Growing Demand, and Markets & Transmission subcommittees, weighing in on policy recommendations.

Media Engagement, Public Education, and Regional Energy Leadership

- Appear regularly in local and regional media coverage of Montana energy issues.
 - [Ratepayer Protection from Data Centers & the Governor’s Ratepayer Protection Pledge](#) (Daily Montanan)
 - [July 2026 Variable Costs Rate Bump for NorthWestern’s Electric Customers](#) (Daily Montanan)
 - [NorthWestern’s Integrated Resource Plan](#) (Montana Public Radio)
 - [PSC's Tentative Ruling on NorthWestern Energy’s Rate Case](#) (NBC Montana)
 - [NorthWestern Energy’s Rate Case Filing](#) (Montana Free Press)
- Publish op-eds for newspapers throughout the state (see links to relevant op-eds under articles below), write articles for MEIC’s members and supporters, and regularly host webinars covering various energy topics to keep the public informed on pressing energy issues.
 - Select Webinars:
 - [NorthWestern’s Final 2026 IRP](#)
 - [NorthWestern’s Draft 2026 IRP](#)
 - [Enhanced Geothermal Energy and its Potential in Montana](#)
 - [NorthWestern Energy’s 2024/25 Rate Case](#)
- Recurring panelist for events throughout Montana related to electric transmission, NorthWestern’s IRP, and other energy issues.
- Serve as the chair of the NW Energy Coalition’s Montana Caucus, facilitating quarterly conversations with 14 member organizations in Montana.

12. In chronological order (beginning with most recent), list your admissions to any organizations or administrative bodies having special admission requirements and the date of admission. If any of your admissions have terminated, indicate the date and reason for termination.

- Order of the Engineer (May 2023): Graduate with a degree from an ABET-accredited engineering program.

13. Describe how your experience qualifies you for this position.

I am more tuned into the current regulatory proceedings at the Public Service Commission than just about anyone else in the state who is not already working at the Commission or an entity regulated by the Commission. This puts me in the unique position to be able to step into the Commissioner role and hit the ground running to effectively fill this position during the appointment period. I am familiar with the current and upcoming dockets in front of the Commission, and am particularly familiar with the regulatory proceedings involving NorthWestern Energy, by far the largest company regulated by the Commission. My professional background working in bipartisan policy spaces prepares me to rise above politics in this position to meaningfully and tactfully fulfil the duties of the Commission and to

meaningfully serve the public. I already have professional relationships with the other Commissioners, and much of the staff, which will also assist in expediting any onboarding to work seamlessly as a part of this agency in service of the public.

My professional and academic background gives me a particular affinity for performing the work of the Commission, combining a technical engineering foundation with substantial public policy and regulatory experiences. This will allow me to understand the nuanced technicalities of the industries regulated by the Commission, abide by the constitutional and statutory requirements of the Commission, and fulfill the Commission's regulatory responsibilities within the jurisdiction that has been assigned to the agency. I am used to sifting through dense technical documents and legal filings, and I am prepared to dig in alongside Commission staff to bring the agency back on track with its extensive docket load. Montana deserves a functioning Commission that fully understands the dockets in front of it, and I am uniquely positioned to deliver on the Commission's duties for the people of Montana.

14. If you have appeared before the Public Service Commission or attended their meetings within the past ten years, please describe the context.

I keep a close eye on proceedings before the Public Service Commission, which would allow me to hit the ground running as an appointed commissioner with limited time to get up to speed before voting on important matters. I have watched almost every PSC weekly business meeting over the past three years, generally via the Commission's live stream, but I attend meetings in person when providing input on relevant dockets. From my best recollection, here is a list of the dockets I have weighed in on at the PSC:

- **Dockets 2026.04.026 & 2025.05.038:** Consolidated dockets on NorthWestern's 2026 IRP – Filed 40-page expert analysis of the IRP as a part of MEIC's joint comments with a number of other organizations on the IRP, commented in person at the PSC's public listening session, submitted a joint letter with other organizations requesting the PSC hold more than the minimum of two public meetings on the plan, and assisted in submitting comments that led the Commission to deny NorthWestern's requests for waivers of specific IRP filing requirements.
- **Docket 2024.05.053:** NorthWestern Energy Rate Case – Appeared as an expert witness in MEIC's intervention, submitting pre-filed testimony and participating in several hours of cross examination at the rate case hearing.
- **Docket 2025.08.058:** Utility Least-Cost Planning and Competitive Solicitation rulemaking to implement 2025 House Bill 55 and to consider additional rule amendments for consistency with 2025 Senate Bill 301 – Submitted extensive written comments weighing in on the Commission's proposed rules.
- **Docket 2025.08.059:** NorthWestern Energy's Wildfire Mitigation Plan – Submitted written comments and commented at the PSC's business meeting about concerns with NorthWestern's Wildfire Mitigation Plan and with the Commission's approach to reviewing the plan.
- **Docket 2024.09.094:** Investigation into NorthWestern Energy's Electric Technical Advisory Committee (ETAC) – Commented at the PSC's weekly business meeting to bring to light NorthWestern's violation of Montana statutes and administrative rules in its implementation of ETAC. As a result, the PSC opened an investigation and required NorthWestern to bring ETAC into compliance.

- **Docket 2022.11.102:** NorthWestern Energy's 2023 IRP – Commented at the PSC's business meeting to highlight how Commissioner's had severely watered down staff's analysis of NorthWestern's IRP.
- **Docket 2024.03.028:** Petition for Commission rulemaking – Coordinated MEIC's participation in ongoing joint rulemaking petition alongside over 40 Montana businesses and organizations to bring the Commission's operations into compliance with constitutional requirements.
- **Docket 2022.07.077:** NorthWestern Energy Natural Gas Rate Adjustment – Commented at the PSC's business meeting on the volatility and unpredictability of gas prices.
- **Docket 2022.07.078:** NorthWestern Energy's 2022/23 Rate Case – Prior to employment at MEIC, commented at the Commission's hearing for NorthWestern's rate case and attended several days of the rate case hearing.

While I have not formally appeared before the Commission on other dockets, I keep track of all dockets in front of the PSC through the Commission's REDDI email updates. I have tracked the following dockets particularly closely:

- **Dockets 2026.04.023 & 2025.11.084:** NorthWestern Energy's Large Load Tariff proposal and Complaint re: NorthWestern Energy's Supply to Data Centers
- **Docket 2025.10.078:** NorthWestern Energy and Black Hills Energy proposed merger
- **Docket 2025.12.089:** Investigation into NorthWestern's Acquisition of Puget Sound Energy & Avista Colstrip plant shares
- **Dockets 2025.09.063 & 2025.09.064:** NorthWestern's Power Costs & Credits Adjustment Mechanism (PCCAM) annual filing, quarterly filings, and requested waiver of PCCAM provisions.
- **Docket 2024.09.090:** NorthWestern's annual and quarterly PCCAM filings.
- **Docket 2024.07.071:** NorthWestern's petition for an alternate qualifying facilities avoided cost methodology.
- **Docket 2023.12.098:** NorthWestern's quarterly PCCAM filings.
- **Docket 2022.09.087:** Commission Investigation of Montana Resource Adequacy and Risk

15. Describe three of the most important, challenging, or complex issues you have dealt with or proceedings in which you have participated during your career.

- **NorthWestern Energy's 2026 Integrated Resource Plan** (PSC Dockets 2026.04.026, 2025.05.038, 2025.08.058, and 2024.09.094)

Utility integrated resource plans (IRPs) are extremely important documents that guide the coming 20-years of resource development. These plans have major implications for the reliability and affordability of our electric system, and as such have tremendous impacts on the public. I have been extensively engaged in the development and review of NorthWestern's 2026 IRP as MEIC's lead in engaging in the planning process. This has not only influenced the development of the plan itself, but has also given the public access to the plan's development, helped the public understand the document and its importance, and has given me a much more thorough understanding of the largest company regulated by the Commission.

Following the conclusion of NorthWestern’s 2023 IRP, the utility convened its Electric Technical Advisory Committee (ETAC) in December 2023 to launch the development of its 2026 IRP. However, despite Montana statute and the Commission’s rules requiring that NorthWestern’s technical advisory committee meetings be open to the public, the utility convened this meeting, a meeting in March 2024, and a meeting in June 2024 without notifying the public and with no opportunity for public participation. Montana statute also requires NorthWestern to convene a “broad based” advisory committee, but NorthWestern arbitrarily limited its ETAC membership, cutting key technical stakeholders out of the important early stages of IRP development. Getting wind of these ETAC meetings taking place in private, I approached the Commission at one of its regular business meetings to bring to attention the statutory provisions and administrative rules that NorthWestern had violated with these ETAC meetings. With this prompting, the Commission sent a letter to NorthWestern regarding the violations and opened the investigatory docket 2024.09.094. This resulted in the public gaining access to meeting materials for ETAC meetings, the ability for the public to tune into ETAC meetings, and the creation of an ETAC webpage and public comment form. While the public’s access remained limited, my work ensured that this important planning process was opened to some amount of public scrutiny.

In these earlier stages of the IRP’s development, I worked through several members of the ETAC committee to keep abreast of the plan’s development and ensure the committee was asking NorthWestern important questions at these meetings. This continued up through June 2025 when NorthWestern convened its IRP Stakeholder Working Group to finally bring in other important technical voices that had been left out of ETAC up until that point. I participated in this group through the end of 2025, when stakeholders were provided a preliminary draft of the IRP. Along the way, I also lobbied on House Bill 55 in the 2025 legislative session to ensure that provisions to protect transparency and public participation were not eliminated from Montana’s Integrated Least-Cost Resource Planning and Acquisition statutes. Engaging in the Commission’s rulemaking for HB 55, I was able to influence the final rule language and ensure that the Commission explicitly define the requirements for a “broad based” technical advisory committee going forward.

I read NorthWestern’s draft IRP in its entirety, and submitted extensive comments to the utility on countless issues with its assumptions and modeling configurations. I also attended and provided input at one of NorthWestern’s public meetings on the draft plan, hosted a webinar to help the public understand the draft plan, and was consulted by the media for its reporting on the draft plan. When the final IRP was released in April, I again sifted through the document and synthesized a 40-page analysis of the plan for submission to the Commission in addition to hosting an additional webinar on the final plan and commenting at a PSC public meeting on the plan. As the Commission concludes its review of the IRP by mid-August, I now have a better understanding of the IRP than just about anyone else in Montana, and have been able to communicate this understanding to the public. This understanding will be essential in stepping into the role of Commissioner, as the utility’s planning document sets the stage for many of its other proceedings at the Commission, including any near-term resource solicitations.

- **NorthWestern Energy’s 2024/25 Rate Case (PSC Docket 2024.05.053)**

NorthWestern Energy filed its last general rate case in front of the Commission in July 2024, which kicked off a rate review that did not receive a final order until December 2025. This was on the heels

of NorthWestern's previous general rate case which had concluded in October 2023, resulting in a 28% increase to the typical residential customer's monthly bill by NorthWestern's numbers (the final impact was closer to 24% due to pass-through adjustments). Given the mounting affordability crisis that was already facing Montanans at the time of filing, the outcome of this recent rate case had tremendous implications for the ability of Montana ratepayers to afford their utility bills and maintain access to essential energy services. Upon the filing of NorthWestern's application in 2025, I reviewed the application and its supporting documents in their entirety. This review informed comments to the Commission on NorthWestern's interim rate increase request in fall of 2025. The utility had proposed an unprecedented \$58 million "bridge rate" for the construction of the Yellowstone County Generating Station, yet this number was not tied to any accounted expenses for the facility's construction and was in violation of fundamental ratemaking principles. Our protest to this bridge rate swayed the Commission to disallow most of that interim increase to the benefit of Montana ratepayers. I also hosted a webinar to keep the public informed on the ins and outs of the rate case and was consulted in the media's reporting on the rate increase request.

In January 2025, I submitted a 33-page pre-filed expert witness testimony for MEIC's intervention in the case. Generally, my testimony called into question NorthWestern's requested 10.8% return on equity (ROE). NorthWestern and its witnesses referenced a number of risks facing the utility in an attempt to justify that requested ROE, including increasing prevalence and intensity of wildfires and extreme weather. However, NorthWestern's activities are directly contributing to and worsening those risks, while the utility has failed to fulfil its constitutional mandate to mitigate those risks. Therefore, I argued, NorthWestern should not be rewarded with a higher ROE due to increased risks that have been created by the utility's own failure to effectively plan for the future.

In March 2025, NorthWestern filed a motion in limine requesting the Commission to disqualify me as an expert in the proceeding and to strike my testimony from the record. After filing a declaration to support my credentials as an expert and formally responding to the motion in limine, the Commission voted to deny NorthWestern's motion and did not disqualify me as an expert in the proceeding. NorthWestern renewed its motion to disqualify me as an expert and strike my testimony from the record during the public rate case hearing in June 2025, but after extensive questioning of my qualifications and my understanding of the case before the Commission, Commission leadership denied NorthWestern's motion once more and I was not disqualified as an expert in the proceeding. I then held my ground in nearly four hours of pointed cross examination from the utility and the Commission, proving my in-depth knowledge of the rate case proceeding and my status as an expert in the case.

The Commission didn't issue its final order in the rate case until December 2025. This order pointed to flaws in NorthWestern's decision-making tracing all the way back to its 2019 IRP and the utility's subsequent resource solicitation. As a result, NorthWestern was not allowed to charge customers its full increase request. The Commission subsequently waived its 20-day deadline for acting on requests for reconsideration of its final order, and the Commission has yet to make a final ruling on requests for reconsideration. NorthWestern has indicated that it intends to file general rate cases more frequently at the PSC, and the utility very well may file its next general rate case during the appointment period. Montana-Dakota Utilities also has an ongoing rate case in front of the Commission which I have not engaged in. My previous work following NorthWestern's last two general rate cases would position me as an asset on the Commission to be able to support staff in

conducting its analysis of the thousands of pages of filings that come along with a general rate case proceeding.

- **Lobbying in the 2025 Montana Legislature**

I was a registered lobbyist for MEIC during Montana's 2025 legislative session, tracking hundreds of pieces of energy-related legislation and engaging directly on dozens of bills. My legislative engagement began in the 2023/24 legislative interim, as I followed the Energy and Technology Interim Committee and its Select Committee on Energy Resource Planning and Acquisition. My legislative engagement has also continued through the 2025/26 interim as I've continued to attend and provide input at meetings of the Energy and Technology Interim Committee.

During the 2025 legislative session, I built and maintained relationships with state legislators across the political spectrum to influence legislative outcomes. This experience working toward principled policy outcomes rather than for partisan political agendas positions me well to serve as a non-political Commissioner determined to fulfill the duties of the agency and regulate Montana's utilities to ensure affordable and reliable services for everyday Montanans. In my time lobbying in the legislature, I worked to oppose, support, and amend a broad set of energy-related legislation, including legislation related to energy development bonding requirements, utility integrated least cost planning, energy infrastructure tax structures, electric transmission development, transportation, nuclear energy, renewable energy, and a handful of bills seeking to restrict or enable specific types of energy development, among other energy-related legislation.

My time in the legislature helped me develop a much more comprehensive understanding of the Montana Code Annotated and the laws that govern energy in Montana. This work also gave me a greater understanding of the Commission's place in Montana's state government, and the legislative directives that establish the framework within which the agency operates. This understanding would be extremely helpful in navigating the Commission's authorities and statutory obligations as an appointed Commissioner. These would also be helpful insight as Montana enters its 2027 legislature and the Commission tracks and weighs in on any pieces of legislation relevant to its operations.

16. If you have authored and published any books or articles, please provide the name of the article or book, and a citation or publication information.

- Relevant Op-Eds
 - [PSC's Final Order in NorthWestern's 2024/25 Rate Case](#) (Missoula Current)
 - [NorthWestern Energy's Acquisition of Avista and Puget Sound Energy Colstrip Plant Shares](#) (Missoula Current and other publications throughout Montana)
 - [NorthWestern Energy's Generation Portfolio](#) (Daily Montanan and other publications throughout Montana)
 - [PSC's Review of NorthWestern's 2023 IRP](#) (Missoula Current)
 - [NorthWestern's Planning Creates Reliability Risks During Cold Weather Events](#) (Billings Gazette and other publications throughout Montana)
 - [NorthWestern's 2022/23 Rate Case](#) (Bozeman Daily Chronicle and other publications throughout Montana)
- Reports

- City of Helena Transfer Station Glass Recycling Process Improvement: MSU Industrial and Management Systems Engineering Capstone Project Final Report (2023)
- Climate Action Plan Research Report (2021)

17. If you have taught on energy or regulatory issues at postsecondary educational institutions during the past ten years, provide the title of the presentation, date, and group to which you spoke.

- Montana State University, Gateway to Sustainability Undergraduate Course Guest Lecturer
 - Energy in Montana: NorthWestern Energy & the Montana Public Service Commission (Fall 2023, Spring 2024, Fall 2024, Spring 2025, Fall 2025, Spring 2026)

18. Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, and type of discharge received.

N/A

19. If you have had prior administrative regulatory experience, describe the position, dates, and approximate number and nature of cases you have handled.

N/A

20. Describe any additional business, agricultural, occupational, or professional experience that could assist you in serving as a Public Service Commissioner.

- **Energy Economics intern at the American Enterprise Institute (2022)**
 - Processed energy data from the U.S. Energy Information Administration for numerous energy policy economic models.
 - Modeled potential revenue generation, emissions reduction, and electricity & commodity price impacts of a national carbon tax policy, crafting convincing narratives to communicate economic energy policies to broad audiences.
- **Montana State University Office of Sustainability Student Employee (2020 – 2023)**
 - Served on MSU’s Carbon Neutrality Taskforce, researching sources and mitigation opportunities for scopes one (on-site energy & heat generation), two, and three greenhouse gas emissions throughout campus operations to develop campus carbon neutrality goal.
 - Worked with campus energy professionals to plan for the future of MSU’s natural gas combustion co-generation steam plant.
 - Developed, implemented, and advanced MSU’s Green Cats Program, reducing the environmental impact of students, faculty, and staff by building sustainable habits and fostering a culture of sustainability throughout various campus spaces.

D. COMMUNITY AND PUBLIC SERVICE

21. **List any civic, charitable, or professional organizations of which you have been a member, officer, or director during the last ten years. State the title and date of any office that you have held in each organization and briefly describe your activities in the organization and include any honors, awards or recognition you have received.**
- **National Ski Patrol** (2017 – present)
 - Volunteer ski patroller at Great Divide Ski Area (Helena, MT) & Loup Loup Ski Bowl (Twisp, WA)
 - Current Executive Board Secretary for Great Divide Ski Patrol
 - 10-year service award pin for 10 seasons with National Ski Patrol
 - Certified in Outdoor Emergency Care, Outdoor Emergency Technician, and Basic Life Support CPR
 - **Citizens Climate Lobby** (2020 – 2022)
 - Certified in 15-week training, attended national conference in Washington, D.C., met with Montana’s congressional staff.
 - **American Youth Foundation National Leadership Conference Volunteer Staff & Participant** (2016 – 2023)
 - First-Year Leadership Programming Specialist and member of Youth Advisory Planning Council
 - Graduate of four-year program promoting self-discovery and development; balanced living in mental, physical, social, and spiritual folds; and positive connection to and impact on local and global communities.
 - **Methow Valley Citizens Council youth climate lobby** (2019)
 - Met with state delegation in Olympia, WA
22. **List chronologically (beginning with the most recent) any public offices you have held, including the terms of service and whether such positions were elected or appointed. Also state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.**
- **Bozeman Sustainability Board**, Appointed by Bozeman City Commission (January 2026-present)

E. PROFESSIONAL CONDUCT AND ETHICS

23. **Have you ever been publicly disciplined for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, licensing board, or other professional group? If so, provide the details.**
- No.

- 24. Do you have any potential conflicts of interest as it pertains to public utilities (e.g. ownership in regulated utilities, prior employment by or representation of utilities or other entities regulated by the Public Service Commission)? If so, please disclose them.**

I have no conflicts of interest, financial or otherwise, with public utilities or other entities regulated by the Public Service Commission. As disclosed previously in this application, my current employment has involved participation in NorthWestern Energy's IRP Stakeholder Working Group and Demand Side Management Work Group, in addition to participation in a number of dockets at the Public Service Commission. That participation would cease upon appointment to the Commission, and most of the dockets I have directly engaged in previously have either already been resolved or should very soon be resolved.

- 25. Have you ever been arrested or convicted of a violation of any federal law, state law, or county or municipal law, regulation or ordinance? If so, provide the details. Do not include traffic violations unless they also included a jail sentence.**

No.

- 26. Have you ever been found liable in any civil proceedings for damages or other legal or equitable relief, other than marriage dissolution proceedings? If so, provide the citation of a reported case or court and case number for any unreported case and the year the proceeding was initiated (if not included in the case number).**

No.

- 27. Is there any circumstance or event in your personal or professional life that, if brought to the attention of the Governor, would affect adversely your qualifications to serve on the Public Service Commission? If so, provide the details.**

No.

F. BUSINESS AND FINANCIAL INFORMATION

- 28. Are you currently an owner, officer, director, or otherwise engaged in the management of any business? If so, please provide the name and locations of the business and the nature of your affiliation, and state whether you intend to continue the affiliation if you are appointed as a Public Service Commissioner.**

No.

- 29. Have you timely filed appropriate tax returns and paid taxes reported thereon as required by federal, state, local and other government authorities? If not, please explain.**

Yes.

- 30. Have you, your spouse, or any corporation or business entity of which you owned more than 25% ever filed under title 11 of the U.S. Bankruptcy Code? If so, give details.**

No.

G. PHILOSOPHY

- 31. State the reasons why you are seeking office as a Public Service Commissioner.**

The Montana Public Service Commission faces a tremendous backlog of dockets that are likely more consequential than any docket load that has ever faced the Commission. Montanans are in desperate need of a Commission that will hold regulated industries accountable and effectively balance these industries' needs with the needs of Montana's citizens. While the Commission benefits from a hard-working, expert staff, the agency has limited personnel and resources to stay afloat amid the barrage of dockets in front of it. The Commission has also struggled for years with staff retention challenges and a number of scandals that have damaged the public's perception of the agency and at times interfered with the agency's ability to do its job. I am seeking office as a Public Service Commissioner to do the hard work that Montana desperately needs done, as an expert already steeped in the issues before the Commission. This is not an attempt to force a partisan political agenda or to seek self-aggrandizement, but a commitment of service to the people of Montana. I believe that I am uniquely situated to fill the office of Commissioner, and intend to work collaboratively along-side staff to help the Commission catch up on its docket backlog, boost agency morale, and restore the Commission's image in the public eye as an agency in service of everyday Montanans.

Constituents of PSC District 2 and every Montanan needs a Public Service Commissioner who can hit the ground running in this appointment with a pre-existing understanding of the issues and dockets before the Commission. Montana needs a Commissioner who understands the needs of Montana's energy system, and who has been paying close attention to the issues facing Montana's regulated industries. We are in the midst of an energy affordability crisis, and Montanans need a Commissioner who can fulfill the regulatory compact to hold regulated industries accountable, while ensuring affordable and reliable service for Montanans into the future. I am prepared to be that Commissioner.

- 32. What three qualities do you believe to be most important in a good Public Service Commissioner?**

A good Public Service Commissioner espouses numerous qualities that enable the Commissioner to tactfully navigate a heavy docket load and maintain a positive and healthy working environment while making difficult, consequential, and often controversial independent judgements in service of the public. I believe the most important of these qualities are:

- Dedication to the position, to serving the public, and to fulfilling the regulatory compact, with an ability to listen, learn, and make sound, independent judgements based on the facts and without bias or prejudgment.

- Knowledge of the regulated industries and dockets before the Commission, and high procedural, analytical, and numeric literacy to understand the nuances of those industries and the filings before the Commission.
- Willingness to dig into the weeds and get to work alongside staff to manage the significant docket load in front of the Commission, and ability to collaborate and work constructively with staff and other commissioners with level-headedness, respect, cordiality, and overall professional conduct, especially during disagreement.

These are all qualities that I have demonstrated in my previous interactions with the Commission and its staff, and I would intend to carry these qualities into work as an appointed Commissioner.

33. Please describe your policy perspectives on utility regulation, including how you would balance affordability for ratepayers, reliability of service, and the state's energy, environmental, and distributive equity goals in your decision-making as a commissioner.

I believe it is the responsibility of the Public Service Commission to ensure that ratepayers have continued access to affordable and reliable utility services, which can only be achieved by maintaining financially sound utilities and ensuring that Montana's energy system does not cause harm to the environment and public health. MCA 69-1-102 establishes the Public Service Commission, "whose duty it is to supervise and regulate the operations of public utilities, common carriers, railroads, and other regulated industries listed in [Title 69]." MCA 69-3-201 requires the Commission to ensure that public utilities provide adequate service and facilities, and that utility rates are "reasonable and just," with "every unjust and unreasonable charge [] prohibited and declared unlawful." Within these statutory provisions, it is incumbent on the Public Service Commission to disallow all unjust and unreasonable expenses from recovery in utility rates to ensure affordability for ratepayers. The Commission must also ensure that rate structures do not pose an excessive financial burden on low- and moderate-income residential customers.

While affordability and reliability of utility service *is* a balance, I believe the Commission has significant opportunity to improve affordability for ratepayers in its scrutinization of utility costs. A major information imbalance exists between regulated utilities and the Commission, inherent in the utility's internal knowledge of its own operations but made worse by Commission staffing and resource limitations that are dwarfed by tremendous staff and resources available within regulated utilities. The Commission must therefore remain highly skeptical of any unsupported claims made by a regulated utility, verifying all claims with thorough audits of utility filings, accounting documents, expense receipts, and any supporting data. If a regulated utility does not provide this information, the Commission can compel the utility to do so in order to fully investigate and interrogate a given rate proposal. The Commission can also introduce evidence on any issue that has not been adequately addressed by any intervening party to ensure all ratemaking decisions are based on a complete record. While reliability requires system investments, no costs passed on to ratepayers should go without heavy scrutinization, including costs that are often overlooked, such as variable cost passthroughs and distribution-level investments. Given limited resources, the Commission must require, through its rules, that regulated utilities provide complete and comprehensive information regarding all expenses and proposed rate structures. If the utility wants to increase charges to its customers, it is its responsibility to

provide this information in a manner that is well-organized and accessible to Commissioners and Commission staff.

The existing regulatory framework creates perverse incentive structures that tie utility profits to major infrastructure investments and rising customer rates. Investor-owned utilities are obligated to maximize returns to shareholders, which is why the Commission's regulatory oversight is necessary in the first place to prevent regulated utilities from taking advantage of their captive customers. Without a strong regulator, ratepayers are defenseless against the profit-maximization of such government-granted natural monopolies. Utility regulation needs improvement to ensure continued affordability and reliability of utility service, and without statutory solutions, the Commission must address these structural problems through its rules.

Utility profits arise from major capital investment into physical infrastructure such as power plants, substations, transmission lines, distribution systems, and other supporting infrastructure. When approved into the utility's rate base, utilities make an allowed rate of return on these capital investments, through rates. This rate of return on capital investments is comprised of an authorized cost of debt and an authorized return on equity (ROE). It is the Commission's responsibility to approve or deny whether certain capital investments can be included in the rate base, and to determine the authorized cost of debt and ROE. The Commission must therefore fully scrutinize all capital costs that the utility proposes to place into the rate base, as well as the proposed cost of debt and ROE. Unfortunately, while it is common practice for utilities and Commissions to determine the cost of debt based on the debt market, utility ROE is often divorced from equity markets and instead established in relation to other regulated utilities. This has the potential to inflate authorized ROEs over time as utilities across the country seek greater profits through higher ROEs, and then utilities point to the highest authorized returns among peer utilities to justify their own ROE increases. Given the safe investment that utilities enjoy as a result of the regulatory compact and no market competition, authorized ROEs should at a minimum be brought in line with equity markets. When dealing with rate bases in the billions of dollars, a several percentage point difference in authorized ROE can lead to a hundreds of millions of dollars difference in costs passed on to customers.

The Commission also has existing regulatory structures, in addition to the ability to develop new regulatory structures, to ensure accountability and transparency from regulated utilities *before* they incur potentially imprudent expenses. In no circumstances should imprudent expenses be passed on to ratepayers, but when regulated utilities make major imprudent investments, they put their own financial viability at risk which can have implications for the ability to continue providing adequate and reliable service. This does not mean that utilities should then get to charge customers for those expenses, but that regulators should be more proactive in preventing imprudent action in the first place. Pre-approval frameworks exist for utilities to consult the commission before making investments, but this requires regulated utilities to actually seek these pre-approval channels. At every regulatory touch point (i.e. during integrated resource planning, resource procurement, ratemaking, etc), the Commission can caution regulated utilities against potentially imprudent decision-making that could lead to unrecoverable costs. The Commission can also correspond with regulated utilities outside of existing regulatory dockets when it has reason to believe utilities may be engaging in imprudent decision-making that could lead to imprudently incurred costs and jeopardize the financial integrity of the utility.

Affordability for ratepayers can further be improved while maintaining reliable service by realigning utility incentive structures in ways that are mutually beneficial to shareholder returns and ratepayers. For example, the Commission could alter or expand what expenses the utility is allowed to put into rate base or tie rate approvals to specific reliability and performance targets. While Montana utilities are already able to rate base cost-effective investments into energy conservation, energy efficiency, demand side management, and demand response programs, the Commission also has the authority to establish energy savings and peak demand reduction targets for regulated utilities. Establishing such targets would encourage utilities to go beyond the bare minimum in implementing these low-cost solutions. These demand-side solutions reduce the need for expensive new infrastructure investments, reducing overall costs to both the utility and its customers, while maintaining reliability and still providing revenue to the utility. In addition to energy savings targets, these affordability measures could be even further incentivized by establishing a rate structure that allows energy savings to be split between customers and the utility, incentivizing the utility to reduce demand to boost its own revenues while also reducing costs for customers. The Commission can also establish other financial rewards and penalties that are tied to utility reliability targets, low-income affordability programs, or other incentive metrics.

Finally, ensuring that Montana's energy system does not cause harm to the environment and public health is not mutually exclusive with ensuring affordable and reliable utility service. Regulated utilities and the Commission are not only legally bound by environmental requirements, but it is actually in utilities and the Commission's best interest to mitigate and minimize the energy system's impacts to the environment and public health. Damages to the environment puts utility infrastructure at physical risk, exposes the utility to legal risks for non-compliance, and damages the public's perception of the utility and the regulator, all jeopardizing a utility's ability to provide adequate and reliable service. Harming the environment and public health can also interfere with the ability of customers to earn a living and be able to pay for utility bills. Additionally, environmentally destructive energy infrastructure is increasingly expensive to maintain and operate, while environmentally friendly alternatives increasingly come in at lower costs with less exposure to fuel supply depletion and price volatility. Aligning regulatory incentive structures to encourage the lowest-cost infrastructure investments would lead to an affordable and reliable energy system that reduces harm to the environment and public health.

34. What is your philosophy regarding the interpretation and application of statutes, regulations, and the Constitution in proceedings before the Public Service Commission?

The Montana Public Service Commission regulates the rates and service quality for private, investor owned electric, natural gas, water, waste-water, and legacy telecommunication companies; provides limited oversight over garbage hauling and passenger motor carrier services; and ensures railroad and intra-state pipeline safety. The Commission's regulatory requirements for each of these industries are defined in the Montana Constitution, the Montana Code Annotated, and the Administrative Rules of Montana.

My philosophy regarding the Commission's interpretation and application of statutes, regulations, and the Constitution is as follows. Wherever the Federal Energy Regulatory Commission (FERC) and other federal regulatory agencies do not take jurisdictional precedence, the Montana Constitution is the ultimate law by which the Public Service Commission must abide. Within that framework, Montana's legislature defines the roles, responsibilities, and authority of the Public Service Commission, establishing the guardrails and frameworks within which the Commission operates and defining the

industries that the Commission regulates. The legislature also bestows broad rulemaking authority on the Commission to establish its own regulatory guidelines that fill in the details for implementing the agency's statutory and constitutional requirements. Within the bounds of constitutional and statutory requirements, the Commission, therefore, has relatively broad autonomy in fulfilling its regulatory duties to ensure that Montana ratepayers have continued access to affordable and reliable utility services. However, the Commission must always abide by constitutional and statutory requirements in fulfilling its regulatory duties, balancing a strict textual interpretation of constitutional and statutory provisions with their original legislative intent and existing legal precedent. Of course, the Commission's compliance with constitutional and statutory provisions is subject to enforcement by the Montana judicial system.

MCA Title 69 defines most of the roles, responsibilities, and rulemaking authority of the Commission, including the Commission's broad regulatory responsibilities regarding utility resource planning, resource acquisition, and ratemaking. The Public Service Commission must also abide by the Montana Administrative Procedure Act, Montana's public meeting laws, and other provisions of MCA Title 2. The Commission must abide by other Titles of MCA as applicable, including certain provisions of Title 75 in coordination with the Department of Environmental Quality. As the state's public service regulator, it is the Commission's responsibility to enforce public utility law and report all violations to the attorney general (MCA 69-3-110).

If appointed to the Commission, I am committed to upholding the requirements of the Montana Constitution, the Montana Code Annotated, and the Administrative Rules of Montana.

H. MISCELLANEOUS

- 35. Please provide the names and contact information for three references who are in a position to comment upon your professional abilities.**

Anne Hedges (Current Supervisor)

Executive Director of the Montana Environmental Information Center
[REDACTED]
[REDACTED]

David Sanders

State Auditor's Office Chief of Staff

Previous Executive Director of the Montana Public Service Commission
[REDACTED]
[REDACTED]

Diego Rivas

Attorney at Sanger Greene PC, Specializing in Energy and Public Utility Law
[REDACTED]
[REDACTED]

CERTIFICATE OF APPLICANT

I hereby state that to the best of my knowledge the answers to all questions contained in my application are true. By submitting this application I am consenting to investigation and verification of any information listed in my application and I authorize any professional disciplinary office or committee, educational institutions I have attended, any references furnished by me, employers, business and professional associates, law enforcement agencies, all governmental agencies and instrumentalities and all other public or private agencies or persons maintaining records pertaining to my citizenship, residency, age, credit, taxes, education, employment, civil litigation, criminal litigation, law enforcement investigation, admission to the practice of law, service in the U. S. Armed Forces, or disciplinary history to release to the Office of the Governor of Montana or its agent(s) any information, files, records, or reports requested in connection with any consideration of me as a possible nominee for appointment to the Public Service Commission.

I further understand that the submission of this application expresses my willingness to accept appointment as Public Service Commissioner if tendered by the Governor, and my willingness to abide by all applicable Montana laws (including the financial disclosure requirements of MCA § 2-2-106).

I also attest that the responses in this application are completely my own work, with no writing assistance from any generative platforms.

08/05/2026

(Date)

Nicholas Fitzmaurice

(Signature of Applicant)

An electronic copy of your application must be submitted by
5:00 p.m. on Wednesday, August 5, 2026

Send the electronic copy to: caitlin.wagoner@mt.gov