

Great Falls Development Alliance Data Center Task Force
Seventh Meeting
10/21/2026
Approx. 53 attendees

Presenter: Monica Tranel

Monica Tranel is a Montana attorney who was raised on a ranch in eastern Montana. Her family moved to Golden Valley County when she was a girl, raising the county's population by one percent, and she went to school in Broadview, where she played basketball and ran track.

Monica has practiced law in Montana since 1999, with a focus on energy and utility regulation, ratemaking, water and property law, and civil litigation. She served as a staff attorney at the Montana Public Service Commission from 2001 to 2005, where she drafted policy for a national working group of utility commissioners, and from 2014 to 2016 she was an attorney for the Montana Consumer Counsel, the constitutionally created agency that represents Montana consumers in utility rate cases. Earlier in her career she served as legislative counsel for Senator Conrad Burns.

In private practice at Tranel Law Firm she has represented ranchers, cooperatives, small businesses, and consumer interests before the PSC, the Montana Water Court, the Montana Supreme Court, and the Ninth Circuit, and has argued reported cases at the Montana Supreme Court and the Ninth Circuit. She is a former Trustee of the State Bar of Montana and past president of the First Judicial District Bar Association, and she currently sits on the Board of Directors of the National Rowing Foundation.

Outside the law, she competed in eight World and Olympic rowing races, winning five medals including gold at the 1995 World Championships. She holds a B.A. from Gonzaga University and a J.D. from Rutgers School of Law and is admitted to practice before the U.S. Supreme Court.

Tonight, we are going to discuss who pays and who decides. How do costs and risks get divided?

1- Who pays?

2-Who bears the risk if the data center fails?

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3-What's signed before construction?

It took Montana 100 years to get to where we are today with our current electricity load demand.

Hydro generation has been around more than 100 years. Colstrip was brought online in the 1980s. These are long lifespan big assets.

Where the power comes from informs who holds the risk, there are 3 options:

1-NorthWestern serves it (utilities get paid on what they build)

2-Buy it on the market – Choice statute 69-8-201 (Montana State University is a choice customer, University of Montana is a NorthWestern Energy customer)

3-Bring your own – what does this actually mean in reality?

Artificial Intelligence/Data Center development is all about speed to market.

The difference between good stories and bad ones is timing and terms.
A pledge is a promise. A contract is enforceable.

Communities need real commitments, sustainable, over time. It's a marriage not a one night stand.

Who are we building wealth for, and who is benefiting from this investment?

Taxes are real money, but model the net, not the gross. Communities want to be in a position to negotiate terms. Disclose the ultimate owner before any permit or NDA.

Have to decide the terms first – Montana doesn't have to decide between technology and its land, water, and ratepayers. Montana has to decide the terms first.

SB212 is the Right to Compute act.

Q&As

Q: Northern plains resource council spearheaded the Stillwater good neighbor agreement. The agreement has 7 amendments. Did the Stillwater agreement get declawed?

A: 7 modifications indicates a living document, changing and growing. Start somewhere, work it out. Cannot speak to the specific merits of the amendments. There are plenty of contentious opinions about the mine, but the community was at the table. This is important.

Q: Can you give a short list of what went wrong in Broadview? Any lessons learned?

A: Ultimately you have to ask Quantica. The project is very large, perhaps people in the town weren't aware of the scale of it. The lesson learned is figuring out what you are actually getting into. Accept and trust, but verify.

Broadview started out at 1GW, and as of March 2026 there is 7 times that in the interconnection queue. What is actually getting built? Who owns it? What are they doing? Show us the money, transparency is what we need. Know what we are really getting into.

Q: How do we get from sitting in this room to being a community that says yea or nay with impact? How do we impact our legislators? How do we get from here to the action you are recommending?

A: Industry wants certitude. Ohio supreme court issued a decision where the town imposed some zoning regulations, data center developer sued – Ohio upheld the community. Communities should have rules and share what the rules are, communities should indicate if they want to work together as good partners with developers and that they expect developers to follow the rules and be good partners. Industry wants to know what the rules are so the project can proceed without lawsuits and opposition.

Q: Why do they need a contract if they have purchased land and are following state law? Who do they make the contract with?

A: Development still needs water and power agreements and to satisfy noise ordinances. Need very concrete, enforceable metrics that they will build X and they will deliver Y.

Q: My opinion all this they will be obsolete in a short period of time. Space X is already putting them in modular units into space. Consider short term impacts of centers here on Earth. China has a lot of obsolete data centers.

A: That is buying time, kicking the can down the road. Maybe that's all that's needed, but maybe not.

Q: Typically I support local decisions, but only two counties are fully zoned. Very few counties have any zoning at all. Took a lot of effort and time to zone Cascade County. How can other counties get fully up to speed with zoning? Should the state take some time to consider what the state wants with data centers?

A: Data centers will go somewhere. The Butte and Billings citizen initiatives didn't go anywhere. One of the things you can do as a community with rules and metrics, you can offer certitude. Practical approach – what are the terms that we can live with for real. Cascade has the ability and muscle memory to work on zoning again.

The question is what do we want as zoning for Cascade County with respect to data centers?

Broadview is a great location; Great Falls is a great location. Other locations in Montana aren't so great. Some tribal lands are saying no way to data center development.

Q: For Jolene: When will the report be made available to the GFDA board and will it be available to the larger community?

A: The report will be presented to the GFDA board in December. The report will be available to the larger community. All meeting notes and slides are posted on the GFDA website.

Q: My question is about jobs. How many from local versus out of state?

A: Jobs are one of the contract terms. Terms and conditions should be negotiated in advance. Sentiment across the country is so strongly opposed to data centers, data centers are here, they are going to happen, developers know they are not popular. This really gives communities leverage. Need to discuss prevailing wage and minimum level investment of jobs over time.

Comment: I trust Jolene to answer my questions. We don't have local control that we need. Our river comes from Bozeman, way beyond Bozeman. Any data center put between us and our water sources is a danger if not carefully and legally monitored. We do not have control. This merger, this union, we could be paying for data centers in South Dakota, we have no control about the merger. We don't know what the merger will do to our electricity bills.

Q: A coal fired plant was recommended for Great Falls, a slaughterhouse was recommended for Great Falls (along with cheese and whisky), I am not in favor of this in my community. How is Montana affected overall if data centers come or if they don't come?

A: The state of Montana has tremendous energy resources. Our wind blows consistently; it can be used for winter peaking. Geothermal is a new frontier. Butte would say that data centers are a way to utilize the water out of the pit. It is really a case by case basis.

Great Falls is somewhat of an industrial town, have we had enough or do we want more? Maybe data centers should go to Glendive or Miles City. Having a larger perspective makes it less acute for single communities. There are benefits to be gained, terms to be negotiated. Can the state benefit from this type of development? These are questions we need to consider.

Q: I am thinking more about the future of AI, will the state be left with huge buildings as pieces of junk? Is the future of AI being considered realistically?

A: Stranded asset costs are paid for by bonding. The larger question of AI and the world is a difficult and terrifying question.

Geoffrey Hinton is considered the Godfather of AI, he worked with Alan Turing. I (Monica) was at a conference where Hinton spoke on what is AI and why it needs to be regulated to both Democrats and Republicans.

Maybe there is some way to come together for a global regulatory body for AI, this is just as important and perhaps even more so than needing a global nuclear weapons regulatory body.

Q: Are there any ratings services for data center companies (like Standard and Poor's-S&P)?

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Citizens for Clean Energy responded – they (Citizens for Clean Energy) are working on metrics and a rubric to evaluate data centers like an RFP and welcome suggestions.

A: This all goes to the transparency question, who is running the data center, what are they bringing to the table, are our kids playing with their kids? You run into someone at a basketball game and say “that thing is noisy! Turn it down.” Look at the big five companies, companies like Google, Meta, Amazon, Microsoft, Oracle.

Jolene responded – this is a good question for any company looking at Great Falls. GFDA will go and visit, will tour an existing site and see if they are a good neighbor in their current location. This is what I (Jolene) did with Janicki, investigating the company before anyone in Great Falls had heard of them.

Comment: GFDA does a good job, Jolene is really great. Project labor agreements get local people to work first.

Q: Have you had observations or awareness on the national security perspective? What if we don’t move forward with AI, not only in this community but in this country? Any concerns if we don’t move forward?

A: In a place like Great Falls, of course one of most important questions is who is behind the data center, who owns it, who is operating it? We don’t want a Chinese data center here. So what are the hyperscalers actually doing, why do we need them? I don’t know enough about where China is at with their AI models, my understanding is that they are inferior. These are very serious questions, very serious national and international global security issues. Who needs to win this? Who needs to be ahead in this? Similar questions to what we have navigated with the nuclear weapons. What is needed at the community, state, national, and international levels? The nuclear weapons model is one potential model.

I (Monica) am happy to hear all ideas on this – it is all hands on deck at the moment. I (Monica) feel like the United States needs to set the moral compass and lead on AI.

Q: We have a nuisance noise problem from industry on the north side of the river. A decibel level was set. I can’t sit on my deck; the noise wakes me up out of my sleep. City has no teeth to do anything, if the sound is not over 80 decibels, there is nothing we can do.

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A: Beauty is in the eyes of beholder, nuisance is the experience of a person trying to enjoy a hot dog on their deck. Set definitions as a community – what does “nuisance” mean? Is it 80 decibels? Does it impact sleeping with windows open? The devil is in the details. This is about being cognizant of grappling with terms and conditions, if just setting a decibel level didn’t work, then what’s next?

Q: Do you think that some of the lessons we have learned from the arms race and the cold war and terrible wars were fought, are we saying this part of the world is expendable and then this other part of the world is not.

A: Comparison of AI and nuclear weapons may be helpful until it’s not. The scale and scope of danger are comparable, the ability to destroy human life is comparable. The idea was to put the nuclear missile bunkers in remote areas, draw fire away from populated areas, so in that sense Montana and other low population states were the sacrificial lamb.

AI is different in how it would on a practical level destroy humanity. There is a lot of fear around it and things we just don’t know, how will it be fully rolled out, how will it impact loss of control of the life that we have. Automation, monitoring, surveillance, we have people knowing things about us that we don’t think they should know.

We came together as a world to set rules around nuclear arms and weapons, we were able to do that. It seems like we could do it again with AI.

Comment: Everybody knows what a bad data center is. A proven good data center is Quincy WA. The Butte council toured it, couldn’t even find it at night, they were able to have a normal conversation, no hearing protection, not all these lights. A golf course uses way more water than the data center proposed for Butte. Sabey is a proven company, puts good into their communities.

Comment: We can realize and monitor our own AI use. We vote with our dollars and drive the market with our choices.

Comment: The Broadview project will be powered from the natural gas plant at Laurel.

Monica closing comments: Hope is in short supply lately. Give each other hope, show up, have face to face conversations and be accountable to each other. I have a Substack you

can subscribe to called Montana Connections, my email address is Monica@MonicaTranel.com. Thank you for your engagement and having me to Great Falls this evening.

Presentation slides are attached to these notes.

End of notes.

Who Pays, Who Bears the Risk

Data centers and Great Falls: the options, the trade-offs, and what to put in writing before anything is built

Monica Tranel

Montana energy & utility attorney · speaking in a personal capacity

GFDA Data Center Task Force · Great Falls College MSU, Heritage Hall · Oct. 21, 2026

Where I'm coming from



1

Raised on a ranch in eastern Montana

School in Broadview, which now has its own data center fight

2

PSC staff attorney, 2001–2005

Inside the agency that sets your electric rates

3

Montana Consumer Counsel, 2014–2016

The constitutional office that represents ratepayers in rate cases

4

Not here for any client

No side to sell tonight. The goal is to put every option on the table with the same facts.

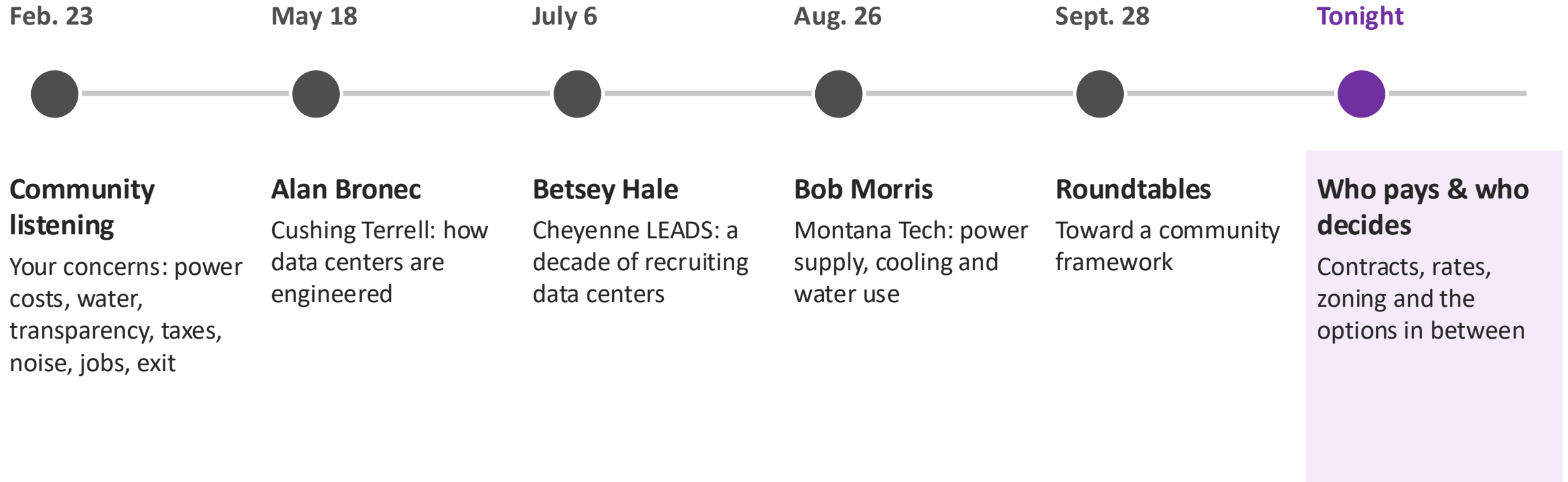
Overview of where people seem to be



These views were voiced at this task force. Two tables at the first meeting wanted no AI data center at all; about 250 people signed the Golden Triangle petition for a county pause; others came for the jobs and the tax base. Tonight's facts are meant to be useful to all four.

Sources: GFDA task force summary, Feb. 23, 2026; Montana Free Press, July 28, 2026

What the task force has heard so far



Three of the four sessions came from engineering, recruitment and industry. Tonight fills a different perspective: how the costs and risks get divided, and who gets a say.

Three questions for every topic tonight

1

Who pays?

For the power plant, the power lines, the water system, the road, the cleanup.

2

Who bears the risk if it fails?

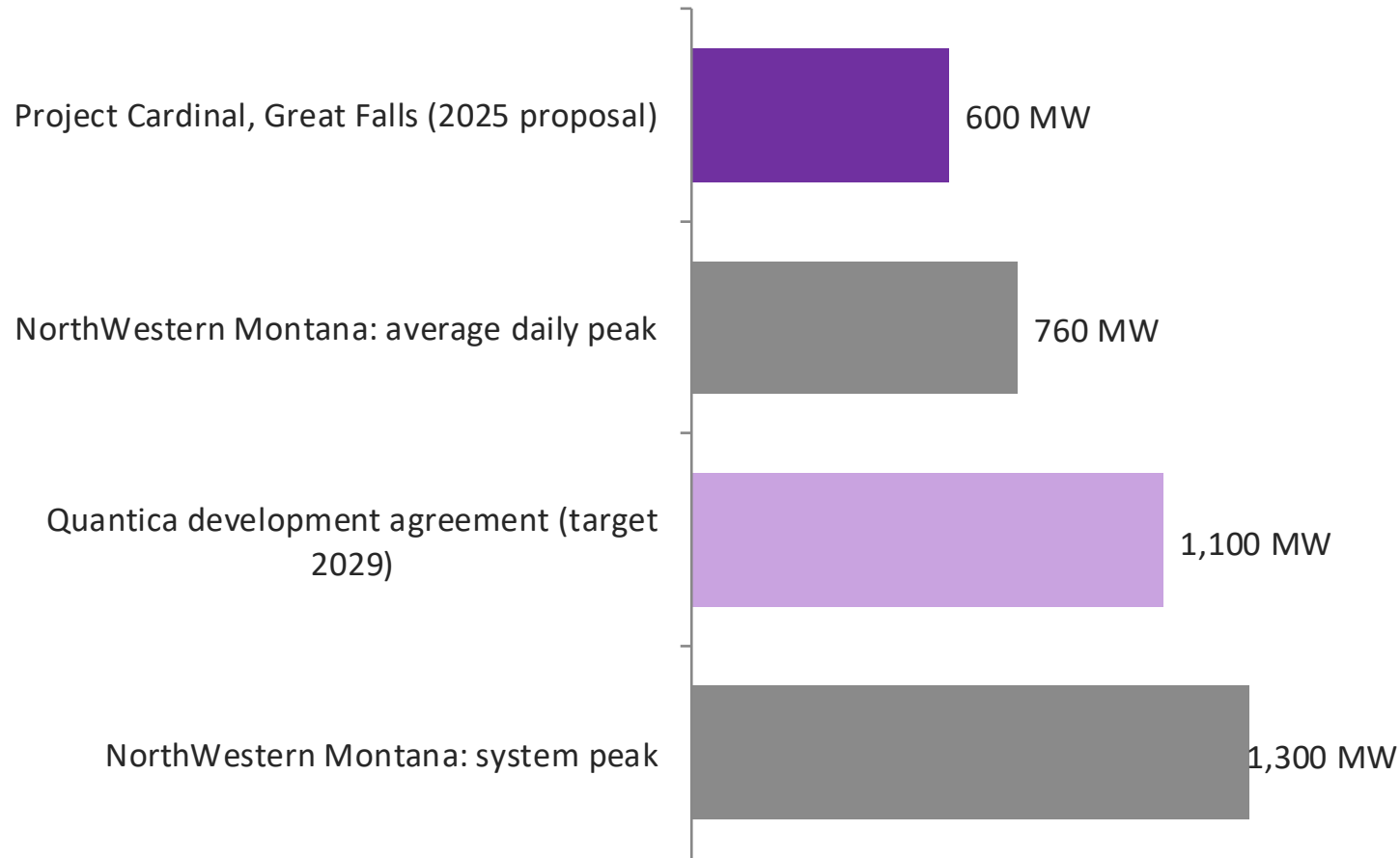
If the project shrinks, sells, goes bankrupt or never shows up.

3

What's signed before construction?

Promises in a press release vs. terms in a contract, a tariff or an ordinance.

One data center can be the size of the whole system



Something has to be built to serve a load this size: generation, transmission, substations.

Those assets last 30 to 50 years. AI contracts and business plans often don't.

So the real question isn't whether there's enough power. It's who is on the hook for what gets built.

Approximate figures. Sources: GFDA/The Electric (Cardinal, ~600 MW reported); NorthWestern Energy Q1–Q2 2026 results and earnings calls

Great Falls has already lived this once

Project Cardinal

June 2025: GFDA announces a \$1–1.5 billion campus on 569 acres near Malmstrom and the Rainbow substation

Promised: 1,500–2,000 construction jobs; 150–200 permanent jobs

November 2025: withdrawn. NorthWestern couldn't deliver power on the developer's timeline.

A developer can walk away.

A power plant can't.

Cardinal didn't leave because of local rules. It left because the power wasn't there on its schedule. Had the plant been built first and the customer left later, the cost would have stayed behind in everyone's rates, unless a contract said otherwise.

Where the power comes from informs who holds the risk

1

NorthWestern serves it

Utility builds or buys; costs go into the rate base the PSC regulates.

Risk: if the load shrinks or leaves, what was built stays in rates for everyone, unless the contract says otherwise.

2

Buy on the market

Data center contracts directly with an independent power producer; FERC rules, regional transmission.

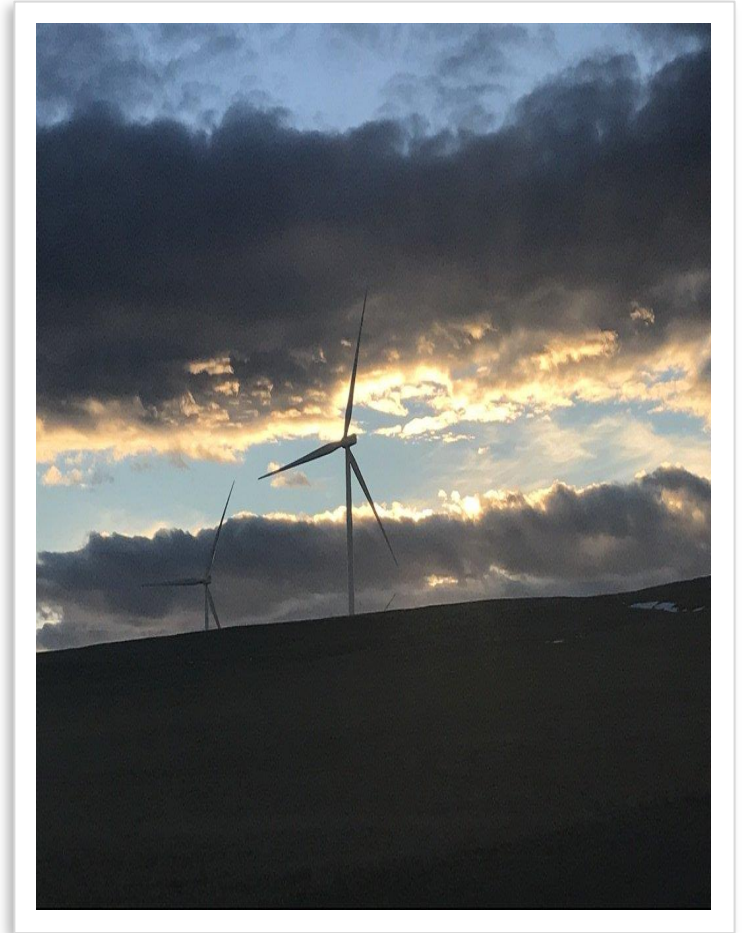
Risk: mostly the developer's. Watch who pays for local lines and backup.

3

Bring your own

On-site or dedicated generation, in front of or behind the meter (the Broadview concept).

Risk: only separate if truly separate. If it's grid-connected, who backs it up when it's down?



Supply options as presented by Bob Morris, Aug. 26, 2026 task force meeting

Lower rates or higher? Both answers can be true

What industry speakers showed you

- More sales can spread fixed grid costs over more megawatt-hours
- Quincy, WA: seven campuses, no residential rate increase
- Ellendale, ND: MDU customers saw rebates from a new data center load
- Montana law: a 5 MW+ customer gets utility supply only if it won't "adversely impact the public utility's other customers over the long term" Section 69-8-201(1)(b), MCA

What can go wrong

- A plant built for a load that shrinks or leaves stays in rates for decades
- Williston, ND: a data center expansion strained local lines, and MDU reported duplicate grid-operator charges
- Under NorthWestern's proposed tariff, 5–49 MW deals skip case-specific PSC approval, so a campus can come in 49 MW pieces Docket 2026.04.023
- AI demand forecasts are uncertain: "What if the bubble pops?"

The difference between the good stories and the bad ones is timing and terms.

Sources: Bob Morris presentation; MCA 69-8-201(1)(b); MEIC on NorthWestern's Large New Load tariff

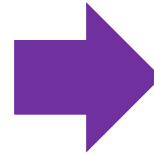
A pledge is a promise. A contract is enforceable

The Ratepayer Protection Pledge

Signed by Gov. Gianforte, July 2026, along with Amazon, Google, Meta, Microsoft, OpenAI, Oracle and xAI

- Build, bring or buy your own power
- Pay for all new delivery upgrades
- Pay for power whether you use it or not
- Invest in local jobs and workforce
- Contribute to grid and community resilience

Voluntary



Turn each point into terms

- A PSC-approved tariff that applies to everyone
- A contract for each project, reviewed in public
- A minimum bill that matches what was built for it
- Local hire written into a development agreement
- Collateral that survives a sale or bankruptcy

“Don't promise us a rose garden, give us an enforceable contract.”

Sources: KRTV/MTN News, July 17, 2026; Montana Governor's Office, July 2026

What “paying their own way” looks like on paper

1 Minimum-demand charge

Pay for the capacity reserved, used or not (take-or-pay)

2 Term matches the asset

Contract runs as long as the plant or line built for it

3 Collateral

Letters of credit or guarantees that survive a sale or bankruptcy

4 Exit fees

Leave early, pay the remaining cost of what was built

5 A separate customer class

Data center costs tracked apart from homes, farms and small business

6 PSC review of every deal

Including the 5–49 MW agreements, in public

Ask where the water comes from, first



1

City water contract

The city sets price, volume and drought curtailment. Most control for the community.

2

Permitted water right

DNRC process with public notice and room for objections.

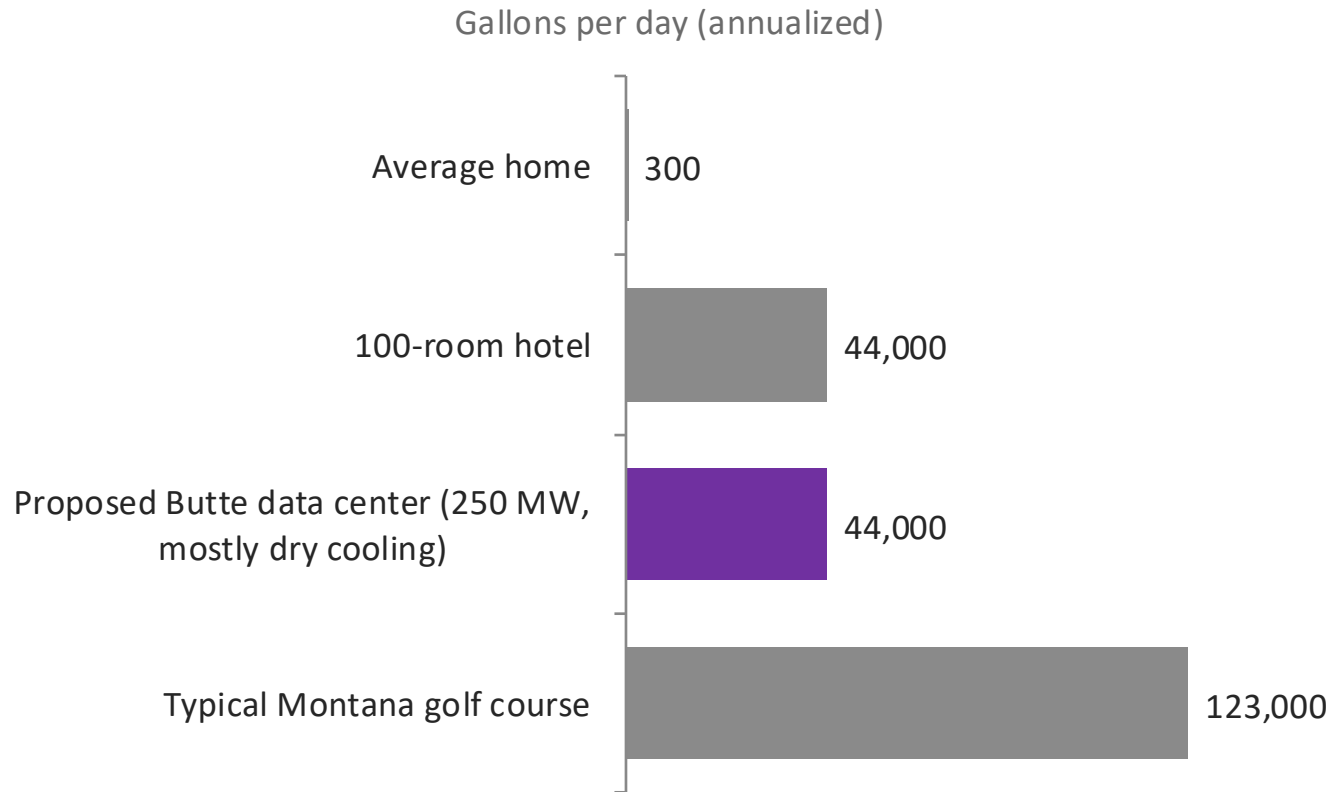
3

Exempt well

Up to 35 gallons a minute and 10 acre-feet a year with no permit. DNRC now requires a notice first, and the law is under court challenge.

Three very different risks. The source is the first thing to get in writing.

Water use is a design choice, so write the design down



Cooling trade-off

Evaporative: less power, much more water

Closed-loop / air: more power, little water

Ask for

- Source and volume disclosed up front
- Closed-loop or air cooling, with a cap
- Independent metering, public reports
- Cut back behind residents and ag in drought
- No stacked exempt wells

Source: Bob Morris, Aug. 26, 2026 (MBMG Open-File Report 567; Sabey design estimate for Butte: 44,000 gal/day)

Jobs: real, mostly temporary, and worth writing down



1,500–2,000

construction jobs Cardinal promised,
for a few years

150–200

permanent jobs promised once
running

- Sentinel work at Malmstrom will compete for the same trades
- Quincy, WA set up apprenticeships and certificates before the build-out
- Great Falls College: Grid Operators program to build on

In a development agreement: local-hire targets reported by wage tier · prevailing wage or a project labor agreement · apprenticeships with Great Falls College

Beyond the jobs count: where does the capital go?

What the national economics say

- A large data center: about \$8 billion, about 100 permanent jobs
- The same \$8 billion elsewhere typically supports 10,000+ jobs
- AI spending is crowding out housing and manufacturing investment
- Since 2000, workers' share of national income has fallen and capital's share has risen

Questions for Great Falls

- What else could the same land, power, water and workforce build here?
- Fewer jobs per dollar means slower wage growth. Who here feels that?
- When the return goes to owners, not workers, how does the community share in it?
- Does the deal build wealth for people who live here, or only for those who own it?

The bigger question: not only how many jobs, but who owns what gets built and who gains as it grows.

Source: Paul Krugman, "AI, Rising Inequality and Rising Oligarchy," Oct. 18, 2026. National trends; local effects will vary.

Taxes: real money, but model the net, not the gross

The case for

- Large new tax base in a property-tax state
- Round Rock, TX: one Sabey site pays taxes like ~600 homes
- Quincy, WA: data centers pay 57% of city taxes
- GFDA: lowers the burden on residents and small business

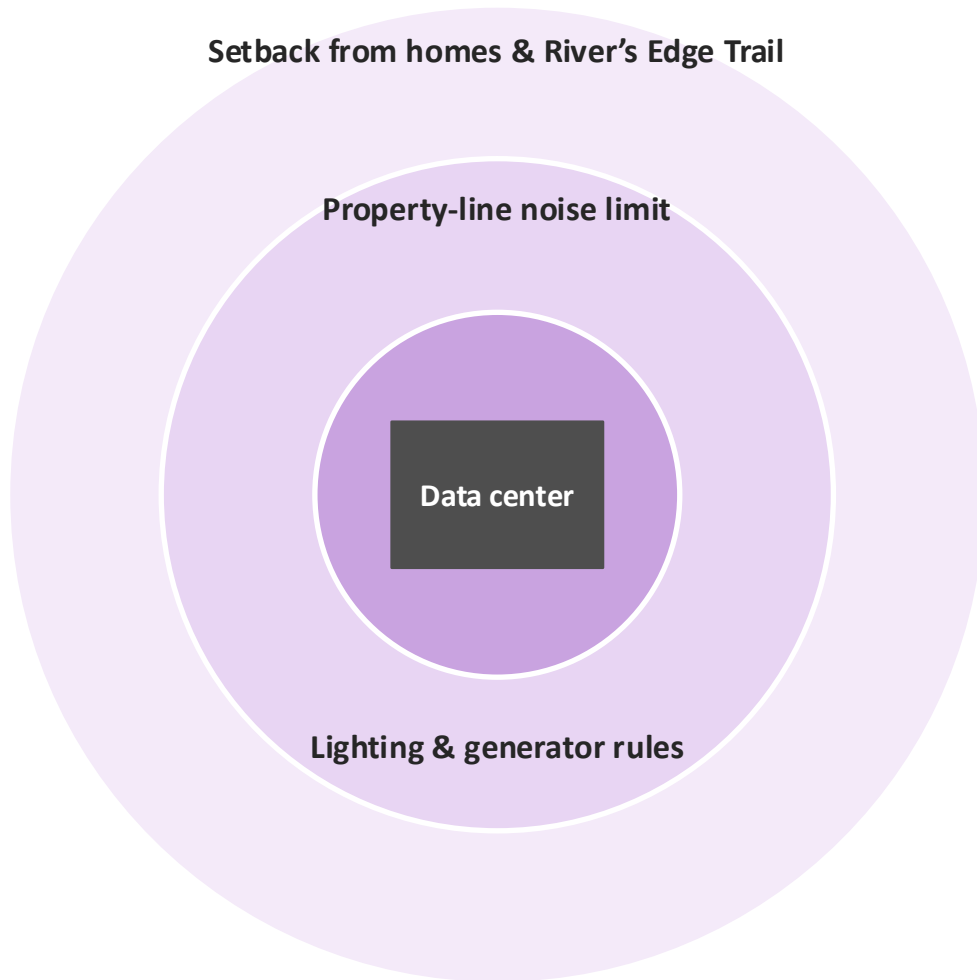
The fine print

- Data centers (Class 17) taxed at 0.9% of market value
- HB 424 (2025) extended that rate to related infrastructure
- Abatements and TIF can redirect much of the revenue
- New roads, water and emergency services cost money too

A fair ask of GFDA: model net revenue after abatements, minus new city and county service costs, and publish it.

Sources: Bob Morris, Aug. 26, 2026; KRTV, July 17, 2026; HB 424 (2025)

Noise: zoning must exist before the application does



The complaint everywhere these get built: a constant low-frequency hum from cooling and generators, around the clock.

Attendees at the first meeting said Great Falls code doesn't address data centers.

Ask for

- Define “data center” in zoning and say where it’s allowed
- Property-line decibel limits that include low frequency
- Setbacks from homes and River’s Edge Trail
- Dark-sky lighting; limits on generator testing hours
- Write each standard as nuisance prevention, with findings

“What if the AI bubble pops?”

Your question from the first meeting, and a fair one. The answer is three protections, all signed before construction.

1

Exit fees

In the power contract: leave early, pay the unrecovered cost of what was built for you.

2

Decommissioning bond

Posted up front, sized to tear down and clean up the site if it goes dark.

3

Ownership review

A sale or bankruptcy triggers public review, and the obligations travel with the property.

Plus: disclose the ultimate owner before any permit or NDA.

Enforceable benefits live in contracts, not press releases

Montana has done this before

Stillwater Mining's Good Neighbor Agreement gave local communities a binding seat at the table: monitoring, enforcement, regular meetings.

A community benefits agreement for a data center could include:

- Local hire and training commitments
- Waste-heat reuse (greenhouses, district heat)
- Water and noise monitoring the public can see
- A community fund, with community control

Even the industry case agrees

From a Fox News op-ed Bob Morris presented in August, "What Host Communities Deserve":

- Upgraded grids
- AI institutes at local community colleges
- Apprenticeships
- Reserved computing for regional universities
- Local venture funds

"It's an investment in the social license to operate."

Four paths for Great Falls, and what each one costs

Path	What it means	What it buys	What it costs
Say no	Zoning steers hyperscale out of most districts, with strict nuisance rules everywhere else	Certainty; protects land, water and character	Gives up tax base and jobs; a total ban likely draws a Right to Compute Act challenge
Pause and prepare	Temporary moratorium through interim zoning	Time to write rules and let the PSC tariff settle	Signals caution to investors; legal limits on length (Missoula County: up to 1 year)
Yes, on our terms	Open to projects that sign protections before permits	Revenue and jobs with the risk assigned	Staff time and negotiating capacity; some developers walk
Recruit actively	Incentives, speed and site-ready land	Best shot at landing a project	Leverage shifts to the developer; abatements shrink the tax gain

Missoula County adopted a one-year interim-zoning moratorium in July 2026; Butte-Silver Bow and Yellowstone residents are pursuing ballot measures for voter approval
Montana’s 2025 Right to Compute Act (SB 212) requires local limits to be narrowly tailored to a compelling interest.,

Whichever path, the homework is the same

Even a no needs zoning written as nuisance prevention to hold up.

Even a pause needs a work plan, or it just runs out.

Even a yes needs zoning and contracts to protect the people already here.

Montana doesn't have to choose between technology and its land, water and ratepayers. It has to decide the terms first.



*In 1893 people in Montana
weren't making the decisions
about what would be left behind.*

This time, we can.

A boat only moves when everyone pulls together

Thank you · Monica Tranel · speaking in a personal capacity

Put it in writing before it's built: who holds the pen

1 City & County

- Define “data center” in zoning, with nuisance findings
- Noise, light and setback standards
- Development agreement + cleanup bond

2 Public Service Commission

- Weigh in on the large-load tariff Docket 2026.04.023 and IRP 2026.04.026
- PSC review of every contract
- A separate data center rate class

3 2027 Legislature

- Revisit the 0.9% data center tax rate
- Close exempt-well workarounds
- Make the ratepayer pledge law

4 The Community

- Power, water and owner disclosed first
- A community benefits agreement
- Local hire and training written in

The pledge says data centers will pay their way. Contracts, tariffs and zoning make that true.