

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

PORTLAND GENERAL ELECTRIC  
COMPANY; AVISTA  
CORPORATION; PACIFICORP; and  
PUGET SOUND ENERGY, INC.,

Plaintiffs,

vs.

NORTHWESTERN CORPORATION;  
TALEN MONTANA, LLC; AUSTIN  
KNUDSEN, in his official capacity as  
Attorney General for the State of  
Montana,

Defendants.

CV 21-47-BLG-SPW

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on Plaintiffs Portland General Electric Company *et al*'s Motions for Partial Summary Judgment. (Docs. 88 and 102). The Magistrate recommended that both motions be granted. (Doc. 191 at 84).


Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error.

*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 191) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that: (1) Plaintiffs’ Motion for Partial Summary Judgment Regarding their First, Second, and Third Claims for Relief (Doc. 88) is GRANTED; and Plaintiffs’ Motion for Partial Summary Judgment Regarding their Fourth and Fifth Claims for Relief (Doc. 102) is GRANTED.

DATED this 18<sup>th</sup> day of October, 2022.

  
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SUSAN P. WATTERS  
United States District Judge