other owners for operations, maintenance, and capital expenditures at Colstrip.[11] Hence, Talen Montana may bear the financial risk if a Colstrip owner chooses not to reimburse costs related to compliance with the MATS Final Rule.

29. The owners will always have disparate positions about installing costly controls to comply with the MATS Final Rule, which likely will lead to further contention between the owners if Talen Montana, NorthWestern, or others seek to install controls. Disputes between the owners have already begun to unfold over the costs of the preliminary analysis of possible compliance options.

30. Further disputes would at least be delayed and possibly rendered unnecessary if there is a stay of the rule.

31. Without a stay, existing disputes will almost certainly intensify and interfere with the ability to reach a timely consensus on the retirement of Units 3 and 4, burdening the companies' resources.

CONTROL REQUIREMENTS, IRRECOVERABLE COSTS, AND IMPLICATIONS

Absent a stay, installation of new emissions control systems will be extremely expensive—and potentially cost prohibitive—for Colstrip.

32. The MATS Final Rule may force Talen Montana to make a massive investment in new emissions control technologies that is difficult to justify even when considered without reference to other contemporaneous EPA rulemakings

[11] O&O Agreement Section 3(b), Articles 6 11.