

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 18-2-20**

Date Published: February 14, 2018

For Work Week Commencing: February 19, 2018

Commission Scheduling Meeting: Tuesday, February 20, 2018, 9:00 a.m.

Commission Business Meeting: Tuesday, February 20, 2018, 9:30 a.m.

General Introduction: This agenda is the Commission's agenda for the work week designated. In the beginning part of each week prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide website located at <http://psc.mt.gov>.

Place of Meetings: All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live webcast: Visit <http://www.psc.mt.gov/video.asp> to watch live stream of Commission meetings.

Inquiries: General inquiries concerning this agenda and subscribing to electronic notice may be made to Shauna Simpson at (406) 444-6180. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities: Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission at (406) 444-6199 prior to the meeting to allow accommodations to be made.

Action Items: All items identified below are for action at the Commission business meeting.

1. Approval of Commission Minutes _____ (Rhonda)

Approval of the Commission Minutes for the week of February 12, 2018.

Work Sessions: All items identified below are for Commission discussion or action on the day designated.

1. T-18.1.OTSC – South Lake Taxi LLC – Failure of South Lake Taxi LLC to file form E as required by Mont. Code Ann. § 69-12-402. (2/20/18)
2. [D2016.9.68](#) – NorthWestern Energy – Natural Gas Rate Case – Phase II – Cost Allocation and Rate Design – Discuss and Act on Stipulated Settlement to Resolve Remaining Issues. (2/20/18)
3. Commission Initiated – Montana Public Service Commission Initiated Rulemaking Concerning the Standard for Incurring a Legally Enforceable Obligation (“LEO”) for Qualifying Facilities – Discuss and act on whether to initiate rulemaking potentially amending the Commission’s existing Whitehall Wind LEO Standard. (2/20/18)
4. Place Holder – Bear Gulch Solar/ Cypress Creek Renewables Complaint in Federal District Court against the Commission and the Commissioner’s in their Official Capacities – To discuss and decide whether the Commission will hire outside counsel to work with Commission attorneys to defend against this matter. The work session may be closed to discuss litigation strategy. (2/20/18)

Other Meetings:

None

Notice Items: All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on a subsequent agenda and participation may be had by submitting written comments, either by mail or hand delivery, to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time via the PSC’s public comment email, psc_utilitycomment@mt.gov. A comment form may be downloaded at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Southern Montana Telephone N2018.2.9 (Tina)

On February 6, 2018, Southern Montana Telephone filed a tariff revision request to delete all references to nonregulated (CLASS and calling card) services from their Tariff 2.

2. Qwest Corporation dba CenturyLink QC N2018.2.10 (Tina)

On February 9, 2018, Qwest Corporation dba CenturyLink QC filed Tariff Transmittal No. 18-AC01. This Access Service tariff filing proposes to remove the direct dial coin feature on smart public access lines provided by CenturyLink. CenturyLink will continue to support 0+ or 0- intraLATA calling and 1+ interLATA calling will continue to be provided by long-distance service providers.

Transportation Notice Items: Motor carriers with proper standing may protest applications. Protests related to an application for Class A, B, and E passenger authority is limited to a protest of the motor carrier's ability to meet the requirements of Mont. Code Ann. §§ 69-12-323(5) and 69-12-415. Protests must include the proper fee, as required by Mont. Admin. R. 38.3.402(c), and conform to the requirements at Mont. Admin. R. 38.3.405 or 38.3.406 as applicable. A protest form is available on the Commission's website at <http://psc.mt.gov/transportation>. If no written protests are received by the deadline, the Commission may issue a final decision on the application (including a decision by delegation of authority to Commission staff pursuant to established internal operating procedures) without a public hearing, pursuant to Mont. Code Ann. § 69-12-321.

None

Protective Orders – Notice Items: The Commission has received the following requests for protective order pursuant to Mont. Admin. R. 38.2.5007. Comments on the requests may be submitted at any time prior to ruling. Copies of these requests may be viewed on the Commission's web site at <http://psc.mt.gov>

1. Energy West Montana/Cut Bank Gas Company D2017.9.80 (Jeremiah)
Energy West Montana, Inc. ("EWM") and Cut Bank Gas Company ("CBGC") filed a *Motion for Protective Order and Brief in Support* on February 9, 2018. EWM and CBGC are seeking protection of their confidential federal and state corporate income tax returns for the years 2014, 2015, and 2016.

Protective Orders – Information Items: The Commission has issued the following protective orders. These orders may be challenged pursuant to Mont. Admin. R. 38.2.5008. Copies of these orders may be viewed on the Commission's web site at <http://psc.mt.gov>

1. Montana Dakota Utilities Co. D2017.10.83 (Zachary)

On February 12, 2018, the Commission approved Montana Dakota Utilities Co.'s *Motion for Protective Order with supporting affidavits* filed on January 22, 2018, protecting the confidential and trade secret documents responsive to Data Request PSC-008(c) from public disclosure.

Information Items: All items identified below are for information only.

1. 1/24/2018 – Received updated address information from WANRack, LLC.
2. 1/28/2018 – Received new Telecommunications registration from nexMatrix Telecom, Inc.
3. 1/29/2018 – Received name change notification - Birch Communications, Inc. to Birch Communications, LLC
4. 1/30/2018 – Received new Telecommunications registration from Grizzly Broadband, LLC.
5. 1/30/2018 – Received letter from TeleQuality requesting commission approval of a cost-based rate for their Private Line Data Services.
6. 2/5/2018 – Received copy of AT&T's Section 63.71 application to the FCC to discontinue offering Ethernet Private Line Service – Metropolitan Area Network Services.

New Regulatory Filings Received in Past Week:

1. N2018.2.8 – PSC Investigation/ Inquiry – Annual Update by Registered Billing Aggregators of Service Providers
2. N2018.2.9 – Southern Montana Telephone Company Tariff – Southern Montana Telephone Company Tariff

New Transportation Filings Received in Past Week:

None