

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 98-10-26**

Date Prepared: October 22, 1998
For Work Week Commencing: October 26, 1998
Business Meeting: October 26, 1998, 10:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, placed on the state electronic bulletin board, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.

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

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Dennis Crawford at (406) 444-6182 or Dan Elliott at (406) 444-6187. They 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 secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

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

1. Utility Merchandizing and Servicing of Appliances – Discussion, direction, action on draft policy statement and complaint by Coalition Against Uniform Utility Competition (10/27/98)
2. USWC's Cellular Alternative Program Proposal – Obtaining Commission direction on response to US West's 9/30/98 letter announcing new "cellular alternative program" (10/27/98)
3. USWC Docket D97.5.87 §271 Application -- Continuing work session to discuss issues that arise, including the motions filed by AT&T on 10/15/98 (10/27/98)
4. USWC Docket D98.4.86 – IntraLATA dialing parity plan – Discuss USWC's compliance with Commission order requiring USWC to notify registered interexchange carriers of their intent to participate in its intraLATA dialing parity plan (10/27/98)

5. MDU Docket N98.8.177 – MDU gas USBP – Discussion, direction, action on MDU gas USBP (10/27/98)
6. AT&T Docket N98.8.181 – Local Exchange by AT&T-Digital Link – Discuss AT&T's Motion to Reconsider Order No. 6099 (10/27/98)
7. PSC Docket D98.9.203 – Commission's November Teleconference – Discuss the agenda and the date for the teleconference for purposes of a notice (10/27/98)
8. PacifiCorp Docket D98.10.218 – PacifiCorp Sale of Distribution System – Discussions/actions as needed (10/27/98)
9. Glacier Energy Docket N98.10.238 – Application for Electric Supplier License (10/27/98)
10. USWC Docket D98.10.243 – CustomChoice Advertising – Discuss any prehearing motions filed by USWC (10/27/98)
11. Columbia Heights Water Company Docket D98.10.246 – Complaint – Discussion, direction, action on apparent sale of utility without PSC approval (part 2 of pending complaint) (10/27/98)

Weekly Scheduling Meeting – Will be held at 9:45 a.m. on the day of the Business Meeting

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

1. BLACK HILLS POWER & LIGHT Docket D98.9.216 (Eric)

On September 28, 1998, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on October 1, 1998. Requests for hearing were due by October 26, 1998. No requests have been received. This application will decrease rates by \$1,982 under the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted.

2. U S WEST COMMUNICATIONS – Docket N98.10.240 (Tina)

On October 8, 1998, USWC filed Tariff Transmittal 98-43. This is a clean up filing to correct release numbers.

3. U S WEST/TEL WEST, L.L.C. – Docket D98.9.199 (Karen)

On July 10, 1998, U S WEST Communications, Inc. filed an agreement negotiated with Tel West, L.L.C. for resale of its services. The agreement is substantially the same as other previous resale agreements, but does not contain the four provisions consistently rejected in other agreements. The agreement contains revised provisions for previously rejected terms and complies with § 252(e)(2)(A) of the Telecommunications Act of 1996. A Final Order has been drafted and distributed.

4. U S WEST/OPCOM, INC dba WCS COMMUNICATIONS – Docket D98.7.170 (Karen)

On July 30, 1998, U S WEST Communications, Inc. filed an agreement negotiated with Opcom, Inc. dba WCS Communications for resale of its services. The agreement is substantially the same as other previous resale agreements, but does not contain the four provisions consistently rejected in other agreements. The agreement contains revised provisions for previously rejected terms and complies with § 252(e)(2)(A) of the Telecommunications Act of 1996. A Final Order has been drafted and distributed.

5. U S WEST/NORTHWEST COMMUNICATIONS – Docket D98.8.184 (Karen)

On August 12, 1998, U S WEST Communications, Inc. filed an agreement negotiated with Northwest Communications Network, Inc. for resale of its services. The agreement is substantially the same as other previous resale agreements, but does not contain the four provisions consistently rejected in other agreements. The agreement contains revised provisions for previously rejected terms and complies with § 252(e)(2)(A) of the Telecommunications Act of 1996. A Final Order has been drafted and distributed.

6. U S WEST/FIRSTEL, INC. – Docket D98.1.15 (Karen)

On October 14, 1998, U S WEST Communications, Inc. the Second and Third Amendments to its negotiated resale agreement with Firstel, Inc. The Second Amendment revises the four provisions consistently rejected in other agreements and rejected in the Order No. 6059 approving the resale agreement. The revised provisions comply with § 252(e)(2)(A) of the Telecommunications Act of 1996 and the Commission's orders. The Third Amendment replaces Appendix A with rate changes reflecting the decisions in D96.11.200 (AT&T arbitration). A Final Order has been drafted and distributed.

7. U S WEST – Docket N98.10.239 (Bonnie)

On October 8, 1998, U S WEST Communications, Inc. filed revised tariff transmittal 98-44 to reduce the price for the Custom Choice feature package, both the standard price and the competitive zone pricing, by \$.42 to align the tariff price with the advertised feature prices. The Commission previously approved the rates on an interim basis

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 the next following agenda or a subsequent agenda and participation may be had by submitting written comments 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.

1. SPRINT COMMUNICATIONS CO. – Docket N98.10.249 (Tina)

On October 20, 1998, Sprint Communications Co. filed changes to its Montana Price List No. 1. This filing introduces and/or grandfathers several programs. Commission action is required on the change in the Monthly Minutes of Use Credit Option. This is a name change and a text change indicating the option is one of three options available to new customers. There are also very minor text changes to various other pages, mostly to change the numbering after the new products were added.

Information Items All items identified below are for information only.

Tentative Action Items for Agenda 98-11-2

Sprint Communications Co. – Docket N98.10.249 (Tina)

New Filings Received in Past Week

N98.10.249 – Sprint Communications Company – Change name Monthly Usage Credit Option to Monthly Minutes of Use Credit option and other text changes.