

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 03-09-16**

Date Published: September 11, 2003  
For Work Week Commencing: September 15, 2003  
Commission Meeting: September 16, 2003, 9:00 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, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.*

*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 Steve Vick at (406) 444-6187. He 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.*

**9:00 a.m. Weekly Scheduling** (Commission Conference Room)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

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

1. CENTRAL MONTANA COMMUNICATIONS, INC. N2003.8.126 (Leroy)

On August 28, 2003, Central Montana Communications, Inc. (CMC) filed tariffs to modify various tariffs. There are text changes with no change in terms, rates, or conditions. CMC is also requesting to delete the requirement for prepayment of first month of service at time of application, and to delete requirement to establish credit in order to receive a calling card. Staff recommends approval.

2. MCI TELECOMMUNICATIONS, INC. N2003.8.124 (Leroy)

On August 28, 2003, MCI Telecommunications, Inc. filed transmittal letter No. 03-11 to introduce Metered Use Service Option CCC – Basic Calling Plan Z and to make text changes to correct typographical errors made to the interLATA and intraLATA rates for the Advanced Option II for Small Business Savings Plan XIV. MCI is requesting a September 5, 2003 effective date. Staff recommends approval.

3. MDU Resources Group, Inc. D2003.8.116 (Eric)

On August 20, 2003, MDU Resources Group, Inc. filed an application to issue additional shares of Common Stock in connection with a three-for-two stock split effected in the form of a stock dividend. A default order has been drafted.

4. YELLOWSTONE PIPELINE D2003.9.128 (JOEL)

On September 4, 2003, Yellowstone Pipeline Co. filed an application to decrease rates by 20% of the 53% increase granted to cover increased power costs in March of 2001. Yellowstone has requested an October 1, 2003 effective date. Staff recommends approval.

5. Petition for Late Intervention of The Northwest Power and Conservation Council (successor to the Northwest Power Planning Council) D2003.6.77 (Robin)

Recommend granting late intervention on the condition that such intervention will not delay the procedural schedule.

6. Qwest Communication Corporation N2003.8.123 (Scott)

On August 27, 2003, Qwest filed tariff transmittal 03-21, UAS/DSS/ISDN PRS Termination at an Interexchange Carrier (IXC) Point of Presence (POP). The propose of this tariff is to add language to clarify that Uniform Access Solution (UAS), Advanced Digital Switched Service (DSS), and Integrated Services Digital Network (ISDN) customers may terminate data service at an IXC POP, terminating on the Internet by an Internet Service Provider (ISP). Voice service may not terminate at the IXC POP. Qwest is requesting approval of this filing effective September 30, 2003.

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

1. D2002.10.126 – GoInternet – Complaint by the PSC against GoInternet. (9/16/03)
2. N2003.8.110 – PSC Initiated – Operator Service Provider Rate Caps. (9/16/03)
3. N2003.8.112 – PSC – ETC Annual Certification. (9/16/03)
4. D2003.5.62 and D2003.4.46 – FCC Triennial Review Order. (9/16/03)
5. D2000.8.113 – Montana Power Company – Correct Order Error. (9/16/03)
6. D2003.6.77 – NorthWestern Energy – Electric Default Supply Tracker Filing. (9/16/03)
7. D2003.7.86 – NorthWestern Energy – Annual Qualifying Facility Avoided Cost. (9/16/03)
8. D2003.8.109 and D2003.8.114 – Colstrip Energy Limited Partnership and Yellowstone Energy Limited Partnership Petition to Consolidate These Dockets and for Order to Show Cause. (9/16/03)
9. D2003.8.109 – Montana Consumer Counsel / PSC – Investigation of NorthWestern Energy. (9/16/03)
10. NorthWestern Energy – Discuss Outside Support for PSC in Event of NorthWestern Energy Bankruptcy. (9/16/03)
11. D2003.9.130 and D2003.9.131 - PSC and Montana Consumer Counsel Fees Pass Through Authorization Orders. (9/16/03)

**Other Meetings**

**9/17/03 - 8:00 a.m. – PSC Natural Gas Summit**

**9/18/03 - 10:30 a.m. – Governor’s conference on Aging (Colonial)**

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

**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. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

1. ENERGY WEST Docket D2003.9.129 (Eric)

On September 4, 2003, Energy West filed an application seeking approval of a credit agreement between the Company and LaSalle Bank and for an order approving a grant of additional liens to the trustees for the holders of the Company's long-term debt. This filing will require discovery by the Commission due to the use of utility assets to secure this financing.

2. Qwest Communications Docket No. N2003.9.127 (Scott)

On September 3, 2003, Qwest filed tariff transmittal 03-33, Grandfather SWITCHNET 56. The purpose of this filing is to discontinue offering SWITCHNET 56 service to new customers and to grandfather existing SWITCHNET 56 customers.

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

**New Filings Received in Past Week**

N2003.9.127 – Qwest – Tariff Transmittal 03-22, Grandfather SWITCHNET 56  
 D2003.9.128 – Yellowstone Pipeline Co. – Transmittal No. 5 – No. 39  
 D2003.9.129 – Energy West - Application for Issuance of Securities  
 D2003.9.130 – PSC Initiated – PSC Funding Tax  
 D2003.9.131 – PSC Initiated - Montana Consumer Counsel Funding Tax