

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-03-01**

Date Published: February 24, 2005
For Work Week Commencing: February 28, 2005
Commission Meeting: March 1, 2005, 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 Kate Whitney at (406) 444-3056. 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 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. Montana-Dakota Utilities Co. D2005.1.9 (Martin)

On January 20, 2005, MDU filed a proposed revision to MDU therm zone boundaries to add new zone 41 (affecting one farm-tap customer) and to amend zone 24 and zone 211 to reflect new receipt points (affecting about 60 customers). MDU states that the change in heat value to the customers will be minimal. Staff recommends approval.

2. Qwest Communications N2005.2.18 (Scott)

On February 14, 2005, Qwest filed tariff Transmittal 05-01 Increase the default rate of payphone compensation. The purpose of this filing is to increase the default rate of payphone compensation in the Exchange and Network Service Tariff, Section 6.2.1 and Section 7.1.3, and the Exchange and Network Service Price List, Section 7.1.3, to \$0.55 for “dial around” calls to be consistent with the FCC’s Report and Order on WC Docket No. 03-255 and FCC CC Docket No. 91-35.

3. Ronan Telephone Company N2005.2.19 (Scott)

On February 15, 2005, Ronan Telephone (RTC) filed changes to its Lifeline Tariffs. On April 29, 2004, the FCC released a Report and Order and Further Notice of Proposed Rulemaking, FCC 04-87, in the matter of Lifeline and Link-up. The proposed changes reflect the changes required by the FCC order. They have also been updated to reflect that the RTC service area is encompassed entirely on the Flathead Indian Reservation, in accordance with the FCC Order.

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

1. Direction on annual reports. (3/1/05)
2. FERC RM04-7 – Direction from the Commission on rule-making regarding market-based rate authority and screens to determine presence or absence of market power. (3/1/05)
3. D2005.2.14 – NorthWestern Energy – Discuss and act on petitions for intervention and any other matters pertaining to the above-referenced docket. (3/1/05)
4. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (3/1/05)
5. Discuss bills and other matters related to 2005 Legislative session. (3/1/05)
6. **3/2/05 9:30 a.m.** – Discuss bills and other matters related to 2005 Legislative session – Commission Conference Room

7. **3-3-05, 1:30 p.m.** - N2004.7.121 and D2003.1.14 – Western Wireless – Discussion, direction, and action on request for certification as an ETC. (3/3/05)
8. **3-3-05, 1:30 p.m.** D2003.8.105 – Cable and Communications/ Mid-Rivers Cell – Discussion, direction, and action on final order for ETC. (3/1/05)
9. **3-3-05, 1:30 p.m.** D2003.2.23 - 3 Rivers Telephone Cooperative – Discussion and action on order on reconsideration on ETC Shelby. (3/1/05)
10. **3-3-05, 1:30 p.m.** L-04.07.5-RUL – Montana Public Service Commission – Post hearing discussion and action on proposed rules. (3/1/05)
11. **3/3/05 1:30 p.m.** – Discuss bills and other matters related to 2005 Legislative session – Commission Conference Room
12. **3/4/05 1:30 p.m.** – Discuss bills and other matters related to 2005 Legislative session – Commission Conference Room

Other Meetings

2/28/05 9:00 a.m. to 4:00 p.m. – RTO 101 – A Seminar on RTO's (Regional Transmission Organization) – Bollinger Room

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.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Qwest Services Corporation N2005.2.21 (Kim)

On February 22, 2005 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and McDonald's Corporation. This filing was submitted pursuant to *Section 2.18 - Volume and Term Discounts to Large Business Customers with a Multi-State Presence* of Qwest's Exchange and Network Services Tariffs.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person interested in seeking a copy of a protective order request should contact the Commission at 406-444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2005.2.21 – Qwest Corporation and McDonald's Corporation – Master Service Agreement

D2005.2.22 – Lincoln Telephone Company, Inc – and Gold Creek Limited Partnership d/b/a Verizon Wireless – Application for Approval of Traffic Termination Agreement