

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-03-15**

Date Published: March 10, 2005
For Work Week Commencing: March 14, 2005
Commission Meeting: March 15, 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.

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

1. **(3/14/05, 9:30 a.m.)** – Legislative Matters – Discuss bills and other matters related to the 2005 session.
2. D2005.1.8 – KMC Data, LLC – Discuss and act on pending interconnection agreement adoption and other matters as necessary. (3/15/05)
3. D2004.1.13, D2004.3.41, D2005.1.2, D2005.1.3 – Qwest, Sprint, ACN Communications Services, Range Telephone Cooperative, 3-Rivers Wireless – Discuss and act on pending interconnection agreements and amendments, and other matters as necessary. (3/15/05)

4. Proposed ETC Lifeline/Link-Up Rule –Discussion, direction, action on draft rule. (3/15/05)
5. D2005.2.14 – NorthWestern Energy – Deal with any pending matters that require or benefit from resolution prior to the hearing on March 17, 2005. (3/15/05)
6. D2004.2.21 – Montana Attorney General – Discuss and act on (1) NorthWestern Energy’s request for protection against additional discovery and (2) NorthWestern Energy’s motion to quash/AG’s motion for order to compel NorthWestern production. (3/15/05)
7. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (3/15/05)
8. Personnel/Budget – Discuss extension of excess leave hours for employees. (3/15/05)
9. Legislative Matters – Discuss bills and other matters related to the 2005 session. (3/15/05)
10. **(3/16/05, 9:30 a.m.)** – Legislative Matters – Discuss bills and other matters related to the 2005 session.
11. **(3/17/05, 8:30 a.m.)** – Legislative Matters – Discuss bills and other matters related to the 2005 session.
12. **(3/18/05, 8:30 a.m.)** – Legislative Matters – Discuss bills and other matters related to the 2005 session.

Other Meetings

3/16/05, 10:00 a.m. – Meeting with Montana-Dakota Utilities representatives to discuss MISO including the Day 2 market and other matters related to Montana-Dakota Utilities (Bollinger Room)

3/17/05, 9:00 a.m. – D2005.2.14 NorthWestern Energy Power Supply Agreement Hearing Commences (Bollinger Room)

3/18/05, 9:00 a.m. – D2005.2.14 NorthWestern Energy Power Supply Agreement Hearing Commences (Bollinger Room) (if necessary)

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 N2005.3.25 (Leroy)

On March 7, 2005, Qwest Services Corporation filed Tariff Transmittal 05-06, Residence and Business Competitive Response Promotions. This is a proposal to conduct 90-day Residence and Business Competitive Response Promotions in Montana. In view of the Montana PSC's November 23, 2004 procedural schedule in Docket D2004.8.135, Qwest is requesting for further 90 day promotions in Montana. Because of the administrative difficulty in discontinuing then subsequently reinitiating the Competitive Response programs as well as the confusion to Montana customers and resellers, Qwest is requesting for this promotion to run from the end of the present promotion until the completion of the Competitive Response Tariff Program Docket, D2004.8.135. Qwest is requesting this promotion to run from April 4, 2005 through July 2, 2005.

2. Qwest Services Corporation D2000.6.80 (Gary)

On February 15, 2005 Qwest filed with the Commission a Revised Exhibit A to the Qwest Montana Statement of Generally Available Terms (SGAT). The revised Exhibit A contains two minor changes. Qwest is reinstating the charge for cable unloading/bridge tap removal (Section 9.2.2.4) which had previously been approved by the Commission in D20006.80 Order No. 6260b. In addition, Qwest has revised footnote (8) to reflect the reinstatement of this charge.

3. Qwest Corporation N2005.3.24 (Scott)

On March 4, 2005, Qwest filed Tariff Transmittal 05-05, 2005 Spring Fling Promotion.

For a limited 89 day period beginning April 4, 2005, and continuing until July 1, 2005, Qwest is proposing to offering a special per span promotional price of \$585 on Primary Rate ISDN service, and \$399 on advanced Digital Switch Service and \$645 on Basic Digital Switched service on three year contracts for customers seeking to: Install new PRS/DSS Service., Renew contracts to 3 year contract term, Migrate analog, DSS or UAS services to a PRS 3 year contract

(no Migration credits), Migrate Analog to a DSS 3 year contract (no Migration credits), Winback customers to Qwest PRS 3 year contract (no WinBack credits), Customers requested due date can be no later than September 2, 2005, Installation charges will be waived, Contracts need to be signed no later than July 1, 2005.

4. Qwest Communications Corporation N2005.3.26 (Scott)

On March 8, 2005, Qwest Communications Corporation (QCC) filed Tariff Transmittal 05-01. This filing is introducing the Choice Unlimited, 5 Cent, and 300 Minute Calling Plan for residential customers. In addition, this revision is also moving the Qwest Choice Long distance plan for Residential customers to the Obsolete Service Offering Section. QCC is also adding Employee Discount Language to section 2 and Free Nights and Weekends to several Residential calling plans.

5. Qwest Long Distance N2005.3.27 (Scott)

On March 8, 2005, Qwest LD Corp. (QLDC) filed Tariff Transmittal 05-02. This filing is introducing the Choice Unlimited, 5 Cent, and 300 Minute Calling Plan for residential customers. In addition, this revision is also moving the Qwest Choice Long distance plan for Residential customers to the Obsolete Service Offering Section. QLDC is also adding Employee Discount Language to section 2 and Free Nights and Weekends to several Residential calling plans.

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

N2005.3.24 – Qwest Corporation – TT 05-05, 2005 Spring Fling Promotion

N2005.3.25 – Qwest Corporation – TT 05-06, Residence and Business Competitive Response Promotions

N2005.3.26 – Qwest Communications Corporation – QCC05-01 – Choice Unlimited, 5 Cent, and 300 Minute Plan Introduction Grandfather Qwest Choice

for Residential Customers Free Nights and Weekends and Employee Discount Language Addition

N2005.3.27 – Qwest Long Distance – QLD05-02 – Choice Unlimited, 5 cent, and 300 Minute Plan Introduction Grandfathering of Qwest Choice for residential Customers and QLDA for Business Customers Free Nights and Weekends and Employee Discount Language Addition