

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-05-10**

Date Published: May 5, 2005
For Work Week Commencing: May 9, 2005
Commission Meeting: May 10, 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. MCI Telecommunications Corporation N2005.4.73 (Scott)

On April 25, 2005, MCI filed revision to its Montana Tariff No. 2. The purpose of this filing is to introduce RLK, RLL Service, Basic Calling Plan II and Small Business Long Distance Plan d: Grandfathering Basic Calling Plan T, U, Y and make textual changes to RLG/RLL Certificate Promotion 2 and \$10 Credit Promotion. Probable motion: Approve MCI revision to its Montana tariff in Docket N2005.4.73.

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

1. D2003.2.23 – 3 Rivers ETC – Discuss and act on 3 Rivers’ request for PSC certification of ETC status to the FCC and USAC and other matters as necessary. (5/10/05)
2. D2004.1.5 and D2004.1.8 – Interbel Wireless and Northern Communications ETC Applications – Discuss and approve applicants’ requests for withdrawal of applications for ETC status. (5/10/05)
3. D2002.10.126 – GoInternet Complaint – Discuss and obtain direction on revocation of GoInternet’s registration. (5/10/05)
4. D2005.4.51 – Covad – Discuss and get direction on Covad’s petition for arbitration, discuss procedural issues, appoint hearing examiner, other matters as necessary. (5/10/05)
5. D2005.2.20, D2005.2.22, D2004.5.83 – Range/Verizon Traffic Agreement, Lincoln/Verizon Traffic Termination Agreement, Qwest/Blackfoot Type II Wireless Amendment – Discuss and act on the agreements and amendments and other matters as necessary. (5/10/05)
6. D2005.4.57, D2005.4.59, D2005.4.60, D2005.4.61, D2005.4.62, D2005.4.64, D2005.4.65, D2005.4.67, D2005.4.68, D2005.4.69, D2005.4.70, D2005.4.71, and D2005.4.72 – Qwest, AT&T, Primetime, Lightyear, Ionex, Bullseye, VCI, Preferred Carrier, McLeod, Covad, Contact, PiperTel, Vycera, New Rochelle QPP Agreements – Discuss filing status of the agreements and whether they should be treated as interconnection agreements subject to Commission approval under Section 252 (e) of the 1996 Telecommunications Act. (5/10/05)
7. D2004.4.50 – MDU’s application for an increase in natural gas rates – Discuss and act on draft final order. (5/10/05)
8. D2004.12.195 – Westech Energy Corp. application for order recognizing it as regulated common carrier – Discuss and act on motion to convert application to petition for declaratory ruling. (5/10/05)
9. D2003.7.86 and D2004.6.96 – NWE QF avoided cost – Discuss and act on NWE’s motion for reconsideration of PSC action on discovery, related

request for suspension of issues, consolidation of issues with future filing, other matters if necessary. (5/10/05)

10. D2002.11.140, D2003.6.66, D2004.6.88 – NWE's annual gas trackers and related litigation – Discussion, direction, action on settlement of judicial review, other matters if necessary. (5/10/05)
11. D2005.4.49 (and as necessary D2004.9.45 or other dockets related to Mountain Water's power cost tracking adjustment) – Mountain Water Company – Act on request for interim order within 30 days; other matters as necessary related to D2004.9.145 or other dockets related to the Mountain Water power cost tracking adjustment. (5/10/05)
12. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (5/10/05)
13. Case management tracking system rewrite – Act on contract. (5/10/05)
14. **(5/13/05 9:00 a.m. Commission Conference Room)** – D2005.1.1 – Qwest use of Federal USF funds– Discuss filed comments, Commission options and to get any necessary Commission direction.

Other Meetings

5/9/05 – 3:00 p.m. – Conference Call BPA Briefing on Generation Resource

Adequacy (Commission Conference Room)

5/12/05 – 3:00 p.m. – CenturyTel Meeting – 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 N2005.5.76 (Leroy)

On May 2, 2005, Qwest Communications Corporation filed Tariff Transmittal 05-10, Residence On-Line Ordering Promotion. During the promotional period from June 1, 2005 through August 29, 2005, residence customers who are connecting service for the first time (New Connect) or who are moving to a new address (Transfer of Service) and who place their order on-line at Qwest's website will receive a \$25.00 Visa Gift Card. This promotion is available on all New Connect or Transfer of Service orders placed on-line during the promotional period and where facilities are available.

2. Sprint Communications Company N2005.4.74 (Scott)

On April 28, 2005, Sprint request changes in its Montana P.S.C. Price list No. 1. Sprint is requesting changes in its tariff to clarify the obligations of Sprint and the customers who seek E-Rate funding for Sprint services and products.

3. Qwest Corporation N2005.5.77 (Scott)

On May 2, 2005, Qwest filed Tariff Transmittal 05-11 for removal of two services from its tariff. Qwest is requesting that Call Data Collection and Transmission Service and TracklinePlusSM Services be removed. Due to lack of demand, Qwest has decided to eliminate these services. There are no customers with either of these services at the present time. Qwest is also requesting a June 1, 2005, effective date.

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

N2005.4.74 – Sprint – Tariff Price List Change

D2005.5.75 – Landmark Water Company LLC - Application for Rate Increase

N2005.5.76 –Qwest Corporation - TT 05-10 - Residence On-Line Ordering Promotion

N2005.5.77 - Qwest Corporation - TT 05-11 - Removal of Two Services from the
Tariff