

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-05-17**

Date Published: May 12, 2005
For Work Week Commencing: May 16, 2005
Commission Meeting: May 17, 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. 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. Probable motion: Approve Sprints changes in Docket N2005.4.74.

2. Qwest Corporation N2005.5.77 (Scott)

On May 2, 2005, Qwest filed Tariff Transmittal 05-11 for removal of two services from its Tariff's. 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. Probable motion: Approve Qwest's request in Docket N2005.5.77.

3. 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. Probable Motion: Approve Qwest Tariff Transmittal 05-10, Residence On-Line Ordering Promotion.

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

1. D2005.4.51 – Covad – Discuss and get direction on Covad's petition for arbitration, appoint arbitrator, and other matters as necessary. (5/17/05)
2. D2005.4.53; D2005.4.52 – Ronan and Hot Springs Telephone – Discuss and act on motions for protective order. (5/17/05)
3. Bresnan's deployment of voice services – Discuss plans to deploy competitive voice services in Montana and relevant regulatory oversight, and other matters as necessary. (5/17/05)
4. FCC 05-33 – Discuss whether the Montana Commission wants to file comments in the FCC's intercarrier compensation proceeding and if so, what the scope of the comments should be, including whether or not the Commission would like to sign on to other comments being submitted. The deadline for comments is May 23, 2005. (5/17/05)
5. D2003.12.170 – Western Montana Calling Coalition – Review the EAS application and receive further direction, if necessary, on how the Commission wishes to proceed. (5/17/05)

6. D2003.8.105 – Cable and Communications (Mid-Rivers Cellular) – Discussion and action on motions for reconsideration, other matters as necessary. (5/17/05)
7. D2004.9.156 – MDU Complaint by Robinson – Discussion, direction, action as necessary. (5/17/05)
8. D2003.7.86 and D2004.6.96 – NWE Annual Qualifying Facility Avoided Cost – General discussion of the dockets and direction or action as necessary, if necessary. (5/17/05)
9. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (5/17/05)
10. Staff out of state travel - Act on 3 requests: (1) Dave Burchett and Leroy Beeby trip to Downey, CA for Mountain Water audit; (2) Joel Tierney trip to Oklahoma City, OK to audit Devon Energy; (3) Marla Larson trip to Portland, OR May 23 -27 for meetings of Western Assessment Group and Grid West/Regional Representative Group. (5/17/05)

Other Meetings

5/18/05 9:00 a.m. – Meeting with Bill Head of Midwest Reliability Organization (Commission Conference 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.

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

D2005.5.78 – MDU - Application to Implement a Gas Cost Tracking Adjustment Change