

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 05-05-24**

Date Published: May 19, 2005  
For Work Week Commencing: May 23, 2005  
Commission Meeting: May 24, 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. D2003.8.105 – Cable and Communications (Mid-Rivers Cellular) – Get any necessary discussion and to obtain any necessary action on a draft order on motions for reconsideration. (5/24/05)
2. D2005.4.57, D2005.4.59, D2005.4.60, D2005.61, D2005.4.62, D2005.4.64, D2005.4.65, D2005.4.67, D2005.4.68, D2005.4.69, D2005.4.70, D2005.4.71, D2005.4.72 – Qwest and multiple other carriers

- Discuss draft order on Commission’s direction to treat QPP interconnection agreements as filed under §252. (5/24/05)
- 3. D2003.12.170 – Western Montana Local Calling Coalition – Review the EAS Application and receive further direction, if necessary on how the Commission wishes to proceed. (5/24/05)
- 4. D2004.5.74 – MT Associates water case – Direction or act on final order. (5/24/05)
- 5. D2005.4.49 and D2004.9.145 – Mountain Water Company general rate case and power cost tracker adjustment filing – Placeholder for any Commission action necessary on procedural matters related to these dockets. (5/24/05)
- 6. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (5/24/05)
- 7. Personnel – Discuss/act on moving Utility Engineer positions to broadband pay plan. (5/24/05)
- 8. Out of State Travel – Approve Candace Beery’s travel to Organization of MISO States board meeting and MARC conference in Little Rock, Arkansas, June 20-23. (5/24/05)

**Other Meetings**

**5/24/05 – 3:00 p.m. – Multi-agency meeting regarding transmission issues (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.

1. Qwest LD Corporation N2005.5.79 (Scott)

On May 16, 2005, Qwest LD Corporation (QLD) filed Tariff Transmittal QLD05-04. This filing includes: correcting the long distance per-minute rate for the Grandfathered (obsolete) Qwest long Distance Advantage, clarification of the rates for Qwest Choice Unlimited for Business Customers, Enhanced Toll-Free Features are provided on a national platform and for consistency, the rates are referenced to the Qwest Rates and Service Schedule, and the addition of Audio Conferencing in the general description of business products.

2. Qwest Communication Corporation N2005.5.80 (Scott)

On May 16, 2005, Qwest Communication Corporation (QCC) filed Tariff Transmittal QCC05-04. This filing includes: clarification of the rates for Qwest Choice Unlimited for Business Customers, Enhanced Toll-Free Features are provided on a national platform and for consistency, the rates are referenced to the Qwest Rates and Service Schedule, and the addition of Audio Conferencing in the general description of business products.

3. Lincoln Telephone Company N2005.5.81 (Scott)

On May 17, 2005, Lincoln Telephone Company (LTC) filed proposed Addendum to the TECOM Tariff. The filing is being made to implement a settlement agreement that has been reached between LTC and Qwest in the *3 Rivers et v. U S West* litigation (U.S. District Court Case No. CV-99-80-CSO). The settlement agreement and dismissal of the court action is expressly contingent upon the approval of this Addendum by the PSC.

**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.

1. WWC Holding Co. (Western Wireless) D2003.1.14 (Martin)

On May 4, 2005, Western Wireless filed a motion for a 4-year term protective order governing access to private and trade secret information included in quarterly ETC reports. Western Wireless asserts that reporting of unmet customer requests for service and customer complaints and resolutions involve customer individual privacy satisfying all elements of PSC rule ARM 38.2.5007(4)(a) and related laws pertaining to personal privacy. Western Wireless asserts that reporting of network information and USAC filings involve trade secret satisfying all elements of PSC rule ARM 38.2.5007(4)(b) and related laws pertaining to trade secret.

**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**

**N2005.5.79** - Qwest Long Distance - QLD05-04 - Correct the Long Distance per-minute rates for the Grandfathered (obsolete) Qwest Long Distance Advantage. Reference the Rates for the Enhanced Toll-Free Features; Clarify the Rates for Qwest Choice Unlimited for Business Customers. Add Audio Conferencing to the general description of business products

**N2005.5.80** - Qwest Communications Corporation QCC05-04 - Reference the Rates for the Enhanced Toll-Free Features to the Qwest Rates and Services Schedule; Clarify the Rates for Qwest Choice Unlimited for Business Customers. Add Audio Conferencing to the general description of business products

**N2005.5.81** - Lincoln Telephone Company - Carrier Access Tariff, proposed Addendum to TECOM Tariff

**D2005.5.82** - PSC Initiated - In the Matter of Bresnan Communications Voice over Internet Protocol Deployment