

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-06-02**

Date Published: May 26, 2005
For Work Week Commencing: May 30, 2005
Commission Meeting: June 2, 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. 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. Probable motion: Approve Tariff Transmittal QLD05-04 in Docket N2005.5.79.

2. Qwest Communications 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. Probable motion: Approve Tariff Transmittal QCC05-04 in Docket N2005.5.80.

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 al 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. Probable motion: Approve LTC Addendum to the TECOM Tariff in Docket N2005.5.81.

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

1. D2004.8.133 – Qwest – 2004 CLEC Forum – Discuss/act on draft preliminary report on the CLEC forum. (6/2/05)
2. D2003.1.14 – Western Wireless – ETC – Discussion, direction, action on Western Wireless motion for protective order, other matters as necessary, if necessary. (6/2/05)
3. 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, D2005.4.72 – Qwest and multiple other carriers – Interconnection agreements filed under 47 U.S.C. §252 – Discuss draft order on Commission's direction to treat QPP interconnection agreements as filed under §252. (6/2/05)

4. D2005.1.1 – PSC – Qwest USF Expenditures – Discussion, direction, action on draft notice commencing formal proceedings to determine whether the PSC should direct Qwest expenditures of universal service funds and, if so, how expenditures should be directed. (6/2/05)
5. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (6/2/05)
6. D2003.7.86 and D2004.6.96 – NorthWestern Energy – Annual Qualifying Facility Avoided Cost – Discussion, direction, action on Whitehall Wind motion for reconsideration, other matters as necessary, including case status, protective orders, and scheduling, all as applicable to this case and in general. (6/2/05)
7. D2004.8.129 – Utility Enterprises, Inc. – Water Rates – To get direction/establish initial interim rates. (6/2/05)
8. HB 153 and SB 415 Rulemakings – Discuss when and how these upcoming rulemakings will proceed. (6/2/05)

Other Meetings

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.

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1. AT &T N2005.5.85 (Scott)

On May 19, 2005, AT & T filed tariff Transmittal 2005-07. The purpose of this filing is to discontinue the AT & T Correctional Value Plan. Additionally, text changes are being made to correct a few typographical errors in the Custom Network Services Tariff.

2. MCI Telecommunications Corporation N2005.5.86 (Scott)

On May 23, 2005, MCI filed revision to its Montana Tariff No. 2. The purpose of this filing is to introduce RLJ service; grandfather MCI Simple International plan, Integrated RLA Service, Basic Calling Plan FF and Integrated RLH service.

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. NorthWestern Energy (NWE) D2003.7.86 and D2004.6.96 (Martin)

On May 26, 2005, NWE filed a motion for protective order to govern access to confidential information that will be filed in one or both of the above proceedings. NWE seeks protection of competitive bid information (electric supply information, identity of contract parties, costs associated with purchases, location of delivery, etc.). NWE asserts that the identified information is trade secret, satisfying all elements of PSC protective order rules, including ARM 38.2.5007, and related laws pertaining to trade secret.

2. NorthWestern Energy (NWE) D2005.5.87 (Martin)

On May 25, 2005, NWE filed a motion for protective order to govern access to confidential information that will be included in NWE's annual gas cost tracker filing (docket number above). NWE seeks protection of competitive bid information (gas supply information, identity of contract parties, costs associated with purchases, location of delivery, etc.). NWE asserts that the identified information is trade secret, satisfying all elements of PSC protective

order rules, including ARM 38.2.5007, and related laws pertaining to trade secret.

3. NorthWestern Energy (NWE) D2005.5.88 (Martin or Al)

On May 25, 2005, NWE filed a motion for protective order to govern access to confidential information that will be included in NWE's annual electric cost tracker filing (docket number above). NWE seeks protection of competitive bid information (electric supply information, identity of contract parties, costs associated with purchases, location of delivery, etc.). NWE asserts that the identified information is trade secret, satisfying all elements of PSC protective order rules, including ARM 38.2.5007, 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

D2005.5.83 – NorthWestern Energy – 2005 Electric Qualifying Facilities Competitive Transition Charge Filing
 D2005.5.84 – NorthWestern Energy – 2005 BPA Residential Exchange Credit Filing
 N2005.5.85 – AT&T – Tariff Transmittal 05-07 – Changes to Consumer Long Distance and Custom Network Services
 N2005.5.86 – MCI – Tariff Revisions - Introduce Integrated RLJ Service, Grandfather MCI Simple International Plan, Integrated RLA Service, Basic Calling Plan FF and Integrated RLH Service
 D2005.5.87 – NorthWestern Energy – 2005 Annual Gas Tracker
 D2005.5.88 – NorthWestern Energy – 2005 Annual Electric Tracker