

REVISED

MONTANA PUBLIC SERVICE COMMISSION UTILITY DIVISION AGENDA NO. 05-07-26

Date Published: July 21, 2005
For Work Week Commencing: July 25, 2005
Commission Meeting: July 26, 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. BLACK HILLS POWER D2005.6.104 (Eric)

On June 24, 2005, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on June 27, 2005. Requests for hearing were due by July 25, 2005. No requests have been received. This application will increase revenues by \$14,572 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Probable motion: Grant BHP's quarterly fuel rate rider application.

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

1. N2005.6.96 – NorthWestern Energy – Petition for rulemaking – Consider and act on draft order which will reflect the direction given at the work session on 7/19/05. (7/26/05)
2. D2005.7.108, 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 – Motion for Reconsideration and Petition for Declaratory Ruling – Consider again appeal of court decision on obligation of Qwest to file a commercial line sharing agreement pursuant to the 96 Act in light of any comments received in response to the Notice. Also consider, as necessary or as it might make sense, action on the Motion for Reconsideration and Petition for Declaratory Ruling. (7/26/05)
3. D2004.8.135 – Qwest – Residence and Business Competitive Response Programs – Discuss and act on the proposed final order. (7/26/05)
4. D2005.4.51 – Covad Communications – Allowing Gregory T. Diamond to appear pro hac vice. (7/26/05)
5. D2004.11.175 – Dan Wheeler – Irrigation Charge – Direction or approval of draft order. (7/26/05)

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.

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. Mountain Water Company D2005.4.49 (Robin)

Mountain Water Company filed a Motion for Protective Order in Docket D2005.4.49 on July 15, 2005. The Motion seeks to protect information on compensation paid to employees of Mountain Water Company and Park Water Company, and information on the federal income tax returns of Mountain Water Company and Park Water Company.

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

D2005.7.110 – City of Great Falls – Application to Operate a Limited Small Commercial and Residential Electricity Supply Pilot Program