

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 05-09-08**

Date Published: September 1, 2005  
For Work Week Commencing: September 5, 2005  
Commission Meeting: September 8, 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 Services Corporation                      N2005.8.123    (Kim)

On August 18, 2005 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and Starbucks Corporation d/b/a Starbucks Coffee Company. This filing was submitted pursuant to Section 2.18, *Volume and Term Discounts to Large Business Customers with a Multi-State Presence*, of Qwest's Exchange and Network Services Tariffs. The MSA is the result of a competitive bidding process to provide Flat-Rate Business Line service. Probable Motion: Approve the Qwest/Starbucks Master Service Agreement in docket N2005.8.123

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

1.     D2005.7.109 – CLEC Forum – Discuss draft notice, agenda, and date change. (9/8/05)

2. D2005.7.110 – City of Great Falls – Consider and act on petition for late intervention from NorthWestern Energy. (9/8/05)
3. D2004.2.21 – PSC Investigation – Discuss, provide direction and/or act on the Attorney General's motion for extension of discovery period and status report. (9/8/05)
4. D2005.4.48 – Havre Pipeline Co– Discuss and provide direction on motion to compel additional responses to data requests to Encore acquisition. (9/8/05)
5. D2005.6.105 – PSC Investigation of Qwest USF Expenditures – Discussion and actions on objections to data requests and other matters as necessary. (9/8/05)
6. D2005.4.49 – Mountain Water Co– Placeholder to discuss and act on stipulated request for approval of a limited Interim Order. (9/8/05)
7. L-05.04.4-RUL – Rules – Telecommunications Service Standards – Discussion, direction, and action on notice of adoption. (9/8/05)
8. Budget/Personnel/Case Management – Discuss FY06 agency budget, travel, compensation, case management, vacant positions, and other budget matters if needed. (9/8/05)

#### **Other Meetings**

**9/7/05 9:00 a.m. – D2004.6.90 & D2003.6.77 Hearing on NWE Electric Trackers (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 Communications N2005.8.120 (Scott)

On August 15, 2005, Qwest petitioned the Commission for a limited temporary waiver of Commission rule ARM 38.5.4111(2). ARM 38.5.411 addresses the charge a telecommunications carrier may assess a customer when the customer initially selects or changes its intraLATA carrier and/or its interLATA carrier. A waiver will enable Qwest to both comply with the new federal requirements regarding interLata Primary Interexchange Carrier (PIC) change charges and recover its costs incurred when a customer makes a simultaneous PIC change.

2. Qwest Communications N2005.8.122 (Scott)

On August 15, 2005, Qwest filed Tariff Transmittal 05-AC02 Interexchange Carrier Subscription service. Qwest is proposing to restructure the Interexchange Carrier Subscription Service to introduce separate Primary Interexchange Carrier (PIC) change charges for changes that are processed electronically and manually. In addition, Qwest will be proposing separate charges for manually and electronically processed changes in situations where a customer request an interstate PIC change simultaneously with an intraLATA PIC change.

3. Qwest Communications N2005.8.125 (Scott)

On August 29, 2005, Qwest filed Tariff Transmittal 05-15 Primary Rate Service (PRS) and Digital Switched Service (DSS) customer appreciation promotion. Qwest is proposing to offer a special per span promotional price of \$601 on PRS ISDN service; \$421 on Advanced DSS switched service and \$665 on Basic DSS on three year contracts or \$580 on PRS ISDN Service, \$394 on Advanced DSS and \$640 on Basic DSS on five year contracts. The promotion is scheduled to run from September 26, 2005, through December 23, 2005. This promotion is only available where it is technically feasible to provide service and where facilities are available. Contracts must be signed by December 23, 2005 and the customer requested installation date may be no later than March 3, 2006.

4. Citizens Telecommunications Company of Montana N2005.8.126 (Scott)

On August 30, 2005, Citizens filed Advice Letter No. MT-05-04. The purpose of this filing is to introduce the Electronic Bill Presentment and Payment (EBPP) new service for Residential customers. EBPP is an optional service that allows customers to view and/or pay their telephone bill on-line.

**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 has filed a Renewed Motion for Protective Order in Docket No. 2005.5.88. NWE identifies the following information for which protection is sought:

**Item A.** Certain detailed monthly costs associated with purchases of electric supply and the monthly invoices supporting these costs;

**Item B.** Certain detailed monthly volumes associated with purchases of electric supply and the supporting monthly invoices;

**Item C.** Location of delivery of specific purchases of electricity and the supporting monthly invoices;

**Item D.** Identity of parties responding to a solicitation by NWE for Requests for Proposal (RFP) for provision of electricity or the parties in negotiation with NWE for provision of electricity;

**Item E.** Prices associated with RFP responses or negotiation proposals;

**Item F.** Volumes associated with RFP responses or negotiation proposals;

**Item G.** Location of delivery of the electricity associated with RFP responses or negotiation proposals; and

**Item H.** NWE's or an RFP administrator's evaluation of the parties from whom NWE purchases or may purchase electricity, the associated costs and volumes, and the location of delivery of the electricity.

In addition, NWE seeks with respect to this information, pursuant to ARM 38.2.5002, special terms and conditions to limit certain party access to the information beyond the limitation(s) contained in PSC Rules (primarily ARM 38.2.5023 related to access by legal counsel and expert witnesses).

**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**

N2005.8.125 - Qwest Corporation - Tariff Transmittal 05-15 - PRS and DSS  
Customer Appreciation Promotion

N2005.8.126 - Citizens Telecommunications Company - Electronic Bill  
Presentment and Payment (EBPP)

D2005.8.127 - Southern Montana Telephone - Notice of Proposed Increase in  
Local Service Rates