

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-09-27**

Date Published: September 22, 2005
For Work Week Commencing: September 26, 2005
Commission Meeting: September 27, 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. Central Montana Communications, Inc. N2005.9.130 (Kim)

On September 6, 2005 Central Montana Communications, Inc. filed modifications to Section 4: Local Service, Section 7: Service Bundles, Section 11.5: Construction-Service Move of an Existing Subscriber, and Section 12: Outside Premises Extensions. The modifications to Sections 4 and 7 reflect overall decreases to the EAS increment charges to subscribers in the Havre, Great Falls, and Lewistown service areas. The modifications to Sections 11.2 and 12 reflect changes to tariff provisions with respect to lump-sum billing of service that is provided under a construction contract (Section 11.2), and the ownership of outside premise extension cables (Section 12). Probable motion: Approve modifications in N2005.9.130.

2. Qwest Communications Corporation N2005.9.135 (Scott)

On September 9, 2005, Qwest Communications Corporation (QCC) filed tariff transmittal QCC05-07. QCC is requesting to introduce a new rate structure for QWEST TOTAL ADVANTAGE Service for renewal of term agreements and new subscribers only. The rate changes do not impact existing customers of this service. Qwest is requesting an October 10, 2005, effective date. Probable motion: Approve QCC's tariff transmittal QCC05-07 in docket N2005.9.135.

3. CenturyTel N2005.9.134 (Scott)

On September 2, 2005, CenturyTel requested to modify its liability language in its Emergency Communications Services schedule. The Company is requesting an effective date of October 2, 2005. Probable motion: Approve CenturyTel's modification in its liability language in docket N2005.9.134.

4. Qwest N2005.9.132 (Scott)

On September 7, 2005, Qwest filed tariff Transmittal 05-16, Introduction of 811 Service. 811 Service is a three –digit local dialing arrangement used for access to One Call systems as a means for excavators and the general public to notify underground facility operators in advance of their intent to engage in excavation activities in compliance with the Pipeline Safety Improvement Act of 2002. Probable motion: Approve Qwest's tariff transmittal 5-16 in docket N2005.9.132.

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

1. D2004.8.135 – Qwest Residence and business competitive response programs – Discuss and act on final order. (9/27/05)
2. D2005.4.49 – Mountain Water Company rate case – Consider a Motion in Limine, both the City and MCC have agreed to waive the personal presence of Leigh Jordan and Ed Jackson for purposes of admitting their pre-filed testimony at hearing. (9/27/05)

3. D2004.5.71 & D2004.5.72 – Firelight Meadows water and wastewater rates – Discuss and act on stipulated agreement. (9/27/05)
4. **9/30/05 9:00 a.m.** – D2003.7.86, D2004.6.96, & D2005.6.103 – NorthWestern Energy QF avoided costs – Discuss and get direction, as necessary, on responses (lack of) to discovery and any other related matters.

Other Meetings

9/29/05 9:00 a.m. – D2005.7.109 – CLEC Forum (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.

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. (Alltel) _____ D2003.1.14 _____ (Martin)

On September 15, 2005, WWC Holding Co., Inc., a subsidiary of Alltel Communications, Inc. (Alltel), filed a Motion for Term Protective Order to govern public disclosure of certain information to be including in quarterly reports before the PSC. Specifically, Alltel requests protection of its customer information as constitutionally protected individual privacy and trade secret and its network signal coverage and improvement reports and USAC filings as 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.

1. D2005.5.88, Order No. 6692a, NorthWestern Energy

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2005.9.139 – Montana-Dakota Utilities – Biennial filing of Electric Integrated Resource plan