

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-10-25**

Date Published: October 20, 2005
For Work Week Commencing: October 24, 2005
Commission Meeting: October 25, 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 D2005.9.144 (Eric)

On September 22, 2005, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on September 23, 2005. Requests for hearing were due by October 24, 2005. No requests have been received. This application will increase revenues by \$36,152 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.

2. Qwest Services Corporation N2005.10.149 (Kim)

On October 3, 2005 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and Costco Telecommunications Services, Inc. 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 Digital Switched Service (DSS) services. Probable motion: Approve Master Service Agreement between Qwest and Costco Telecommunications Services, Inc.

3. Qwest Services Corporation N2005.10.152 (Kim)

On October 7, 2005 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and Borders Group, Inc. 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 a Business Line Volume Purchase Plan for qualifying services associated with the aggregate volume purchase of business access lines. Probable motion: Approve Master Service Agreement between Qwest and Borders Group, Inc.

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

1. D2003.1.14 – WWC Holding Co./Alltel Communications, Inc. – Motion for term protective order for quarterly filings as ETC – Discussion, direction, action on motion, other matters as necessary. (10/25/05)
2. D2005.10.157 – Kristi Biegel – Formal complaint against Qwest Corporation for TIC charges – Discuss and get direction on the formal complaint filing of Kristi Biegel against Qwest. (10/25/05)
3. D2004.11.186 – NorthWestern Energy – Property tax tracker – Final order. (10/25/05)
4. D2003.7.86, D2004.6.96, D2005.6.103 – NorthWestern Energy – Motions for protective order – Discussion, direction, action on motions, other matters as necessary. (10/25/05)

5. D2004.7.99, D2004.12.192, D2005.6.106 – NorthWestern Energy, PSC – NorthWestern Energy gas and electric USB consolidated dockets – Further post hearing discussion, direction, action as necessary. (10/25/05)
6. N2005.6.101 – NorthWestern Energy – Natural gas procurement rules or tariffs – Discussion, direction, action on motion, other matters as necessary. (10/25/05)
7. D2004.10.168 – Miller Oil – Miller Oil dba City Line increase in rates for propane service in the Culbertson, MT service area. (10/25/05)
8. **10/27/05 9:00 a.m.** - Reply comments to be filed with the Federal-State Joint Board on Universal Service - Discuss and get any necessary direction on filing draft reply comments in CC 96-45. (The Federal-State Joint Board (FSJB) on Universal Service issued on August 17, 2005 a Public Notice inviting comments in FCC-05J-1.) The reply comment deadline is October 31st. (10/27/05)

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.

1. Qwest Communications N2005.10.155 (Scott)

On October 13, 2005, Qwest filed Tariff Transmittal 05-AC03 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 requests an interstate PIC change simultaneously with an intraLATA PIC change. In addition Qwest is petitioning the Commission for a limited temporary waiver of Commission rule ARM 38.5.4111(2). ARM 38.5.4111 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. Citizens Telecommunications N2005.10.151 (Scott)

On September 29, 2005, Citizens Filed advice Letter No. MT-2005-01. The purpose of this filing is to adjust PIC change charge terms and rates subsequent to FCC Report and Order in CC Docket No. 02-53 released on February 17, 2005, FCC 05-32. In addition Citizens is requesting a waiver of Commission rule ARM 38.5.4111(2) so it will comply with the Federal rule.

3. CenturyTel N2005.10.153 (Scott)

On October 12, 2005, CenturyTel filed Transmittal No. 2005-5. With this filing CenturyTel is proposing to offer a new Custom-Calling feature Call Transfer.

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 wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2005.10.154 – Qwest Corporation – Petition for Amendment of Administrative Rule 38.5.4111

N2005.10.155 – Qwest Corporation – Petition for a Limited Temporary Waiver of ARM 38.5.4111

N2005.10.156 – Montana-Dakota Utilities Co. – Natural Gas Conservation Programs and Conservation Tracking Adjustment

D2005.10.157 – Kristi Biegel v. Qwest Corporation – Formal Complaint

N2005.10.158 – Citizens Telecommunications Co. – National Abbreviated Dialing Code