

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 07-02-13**

Date Published: February 8, 2007
For Work Week Commencing: February 12, 2007
Commission Meeting: February 13, 2007, 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.mt.gov>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Live audio feed Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio feed link on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.

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 – No Web Audio Feed)

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 D99.9.123, D2002.6.75, D2002.9.114 (Gary)

Three (3) (TRO/TRRO) Interconnection Agreement Amendments:
D99.9.123 - Qwest Corporation/Northwest Communications Network, Inc.
D2002.6.75 - Qwest Corporation/Wireless of Montana, LLC

D2002.9.114 - Qwest Corporation/Range Telephone Cooperative, Inc. Qwest has filed for approval with this Commission three TRO/TRRO amendments in the dockets listed above. The FCC, with the guidance of the United States D.C. Court of Appeals, has redefined what constitutes an unbundled network element (UNE) under Section 251 of the 1996 Telecommunications Act. Specifically, the FCC issued its Triennial Review Order (TRO) effective October 3, 2003. This was followed by the United States D.C. Court of Appeals USTA II Decision on March 2, 2004. Finally, the Commission issued its Triennial Review Remand Order (TRRO) on March 11, 2005. The effect of these orders and decision was to remove a number of UNES from the list of UNEs required to be offered to competitive local exchange carriers (CLECs). These amendments list approximately 30 UNEs which Qwest and the parties to these agreements have agreed are no longer required to be offered under Section 251. These amendments were voluntarily negotiated by the parties involved.

Probable Motion: Move to approve the TRO/TRRO interconnection agreement amendments in D99.9.123 - Qwest Corporation/Northwest Communications Network, Inc., D2002.6.75 - Qwest Corporation/Wireless of Montana, LLC, and D2002.9.114 - Qwest Corporation/Range Telephone Cooperative, Inc.

2. Qwest D2002.6.75, D2005.3.37
(Gary)

Two (2) DSL Interconnection Agreement Amendments:
D2002.6.75 - Qwest Corporation/Wireless of Montana, LLC
D2005.3.37 - Qwest Corporation/Prime Time Ventures, LLC

Qwest has filed for approval with the Commission two Digital Subscriber Line (DSL) interconnection agreement amendments. These amendments remove (DSL) as a service available under their existing interconnection agreement with Qwest, per FCC Order 05-155 in Docket No. 02-33 which found that DSL is an information service. These amendments were voluntarily negotiated by the parties involved.

Probable Motion: Move to approve the DSL interconnection agreement amendments in D2002.6.75 - Qwest Corporation/Wireless of Montana, LLC, and D2005.3.37 - Qwest Corporation/Prime Time Ventures, LLC.

3. Verizon N2007.1.14 (Scott)

On January 24, 2007, Verizon filed revisions to its Verizon Montana Tariff No. 2. The purpose of this filing is to correct the Alternative Rates for Switched/Local Network Connection and Switched/Card/Dedicated [Outbound] and Local Network Connection/Switched [Inbound] for Option EEE (Verizon Business Service I) and Option DDD (Verizon Business Service II). These rates were filed incorrectly in the original filing. In addition, the filing introduces Directory Assistance and a Card per call surcharge for alternative rates for these services. Also included in this filing, Verizon Business Service is introducing Multi-State Long Distance Service Program III, Multi-State Long Distance Service Program IV, and correcting language under the Multi-State Long Distance Service Program II. Probable Motion: Approve Verizon's revisions to its Montana Tariff No. 2 in Docket N2007.1.14.

4. CenturyTel N2007.1.15 (Scott)

On January 26, 2007, CenturyTel of Montana Inc. filed Tariff Transmittal No. 07-02. CenturyTel is adding a monthly rate of \$0.25 per access line for bundled C9-1-1 and bundled monthly rate of \$0.20 per access line for counties with a population of 35,000 or more, or a population density of 48 people or more per square mile. Probable Motion: Approve CenturyTel's Tariff Transmittal No. 07-02 in Docket N2007.1.15.

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

1. N2007.1.10 – Citizens Telecommunications – Tariff filing – Termination or re-origination of calls received over a data service – Commission action. (2/13/07)
2. D2006.12.186 – Qwest Corporation and MCImetro Access Transmission Services LLC – Interconnection agreement and associated amendment – Discuss and act on the agreement and associated amendment. (2/13/07)
3. D2006.12.192 - CenturyTel of Montana, Inc. and 360Networks (USA) Inc. - Interconnection agreement – Discuss and act on interconnection agreement. (2/13/07)
4. D2007.1.16 – NorthWestern Energy – NorthWestern Energy Service Agreement with Yellowstone Mountain Club – Discuss filing. (2/13/07)

5. D2006.12.176 – NorthWestern Energy – Application for Automatic Rate Adjustment and Tracking for Taxes and Fees – Discuss and act on NorthWestern Energy’s Motion for Reconsideration. (2/13/07)
6. Northern Tier Transmission Group (NTTG) – Summarize current NTTG projects, Columbia Grid’s FERC filing, and a potential response. (2/13/07)
7. Personnel - 10-hour/4-day work schedule – Approve Connie Jones going from a 10-hour every other week work schedule to a straight 10-hour work day 4 days a week effective beginning February 26, 2007. (2/13/07)
8. Personnel - Excess annual leave – Act on staff request for extension of time to use excess annual leave. (2/13/07)
9. Out of state staff travel – Approve upcoming Pipeline Safety-related travel as follows: 1) March 12-16, 2007 (Joel Tierney) General Pipeline Safety Awareness Course, Athens, Alabama; 2) April 10-12, 2007 (Eric Dahlgren) Gas Pressure Regulation and Overpressure Protection Course, Oklahoma City, OK; 3) June 11-15, 2007 (Eric) Joining of Pipeline Materials Course, Oklahoma City, OK; 4) June 18-22, 2007 (Joel) National Association of Pipeline Safety Representatives Meeting (Western Region), Seattle, WA. (2/13/07)
10. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process, and general agency concerns: consider staff analysis and recommendations; provide direction on PSC response to bills. (2/13/07)
11. **2/12/07, 2/14/07, 2/15/07, 2/16/07 8:30 a.m.** – Legislative - Discuss bills relevant to PSC mission, statutory authority, administrative process, and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (Commission Conference Room – no web audio feed) (2/12/07, 2/14/07, 2/15/07, 2/16/07)

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. Central Montana Communications N2007.2.19 (Scott)

On February 5, 2007, Central Montana Communications (CMC) requested changes to its tariffs. In this filing CMC is requesting to add the unlimited minutes of long distance to be used on up to two access lines that are crossed billed, allow subscribers with a Silver bundle to add unlimited long distance to up to two access lines for \$25, and allow the subscribers to add additional lines (beyond the two included) for \$25 per 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 wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

1. MTPCS, LLC, dba CHINOOK WIRELESS D2007.2.18 (Martin)

On February 1, 2007, MTPCS, dba Chinook Wireless, filed a Motion for Protective Order to govern disclosure of current network service coverage and proposed build-out plan information in the above docket. The above docket is an application (to be filed) for designation as an eligible telecommunications carrier. Chinook argues that the identified information is trade secret.

2. OneEighty Communications, Inc. D2006.6.81 (Jim)

On February 1, 2007, OneEighty Communications, Inc., filed a Motion for Protective Order to govern disclosure of business and consumer line counts

in the above docket, which is a Qwest Corporation application for its residence and business customer incentive program, stating the identified information is trade secret and confidential, competitively-sensitive information.

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.

1. Cut Bank Gas N2007.1.1 (Martin)

A term protective order, Order No. 6805, was issued February 1, 2007, in the above matter, which relates to CBG's annual reports.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2007.2.18 – MTPCS, LLC dba Chinook Wireless – Application for Designation as an Eligible Telecommunications Carrier

N2007.2.19 – Central Montana Communications, Inc. – Tariff Changes, Section 7 - Service Bundles

D2007.2.20 – Qwest Corporation and Greenfly Networks, Inc. – Application for Approval of Wireline Interconnection Agreement