

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 07-04-24**

Date Published: April 19, 2007
For Work Week Commencing: April 23, 2007
Commission Meeting: April 24, 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. BLACK HILLS POWER D2007.3.28 (Eric)

On March 22, 2007, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on March 23, 2007. Requests for hearing were due by April 23, 2007. No requests have been

received. This application will increase revenues by \$45,870 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. Citizens Telecommunications N2007.4.34 (Scott)

On April 3, 2007, Citizens filed Advice Letter No. MT-07-05. The purpose of this filing is to introduce Business Traffic Study Service for business customers. Business Traffic Study Service provides performance reports of call capacity for originating and terminating traffic on access lines, trunk groups or hunt groups. Citizens requests that this filing become effective May 11, 2007. Probable Motion: Approve Citizens' Advice Letter No. MT-07-05 in Docket N2007.3.34.

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

1. D2007.2.20 – Qwest Corporation and Greenfly Networks Inc. – Interconnection agreement – Consider and rule on TransAria's motions to dismiss, to set procedural schedule, to schedule oral argument, and to accept TransAria's comments. (4/24/07)
2. D2004.1.6 – Triangle Communication System, Inc. – Application for designation as eligible telecommunications carrier – Further discussion, direction, action on draft final order. (4/24/07)
3. Court, DV-03-10080 - Whitehall Wind v. PSC and NorthWestern Energy – Judicial review of PSC order – Further discussion, direction, action on compliance with latest Court order. (4/24/07)
4. Staff travel – Act on request to approve out-of-state staff travel for Candace and 3 attorneys. (4/24/07)
5. 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. (4/24/07)

Other Meetings**4/24/07 1:30 p.m. – Airtel Informational Presentation (Bollinger Room)**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

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

1. Southern Montana Telephone Company N2007.4.40 (Jim)

On April 18, 2007, Southern Montana Telephone Company (SMTTC) filed a motion for a term protective order. Specifically, SMTTC seeks protection from public disclosure of Schedules 27 and 28 addressing management, employee, and director compensation.

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

D2007.4.37 – Swiftel LLC – Petition for Designation as an Eligible Telecommunications Carrier in the State of Montana

N2007.4.38 – NorthWestern Energy - Request for Commission Intervention to Establish a Customer's Payment Arrangement

D2007.4.39 - NorthWestern Energy - Request for Accounting Order Authorizing the Accumulation of the Cost of Funding Participation in Northern Tier Transmission Group

N2007.4.40 – Southern Montana Telephone Company – Motion for Term Protective Order