

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 09-02-03**

Date Published: January 29, 2009  
For Work Week Commencing: February 2, 2009  
Commission Meeting: February 3, 2009, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter 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 webcast *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 and video feed links 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.

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

1. D2008.12.140 – Cable & Communications Corporation – Application for Approval of Cost Data Pursuant to the FCC CETC Cap Order - Consider issuance of procedural order. (2/3/09)
2. N2008.5.55 – Lincoln Telephone Company, Inc. – Motion for Protective Order Related to Schedules 27 and 28 of its 2007 Annual Report – Consider and reaffirm a June 10, 2008, vote to issue a protective order protecting the 10 highest salaries reported in Lincoln Telephone’s annual report. (2/3/09)
3. Placeholder – D2008.3.27 – Energy West Incorporated (EWI) and Cut Bank Gas Company (CBG) – Joint Application for Approval of Acquisition of CBG by EWI – Consider and act on Motion to Extend Procedural Order. (2/3/09)
4. D2008.9.107 – Energy West Montana – Petition for a Special Permit for the Use of Polyamide 12 Piping for Natural Gas Distribution – Discuss and act on polyamide 12 special permit request. (2/3/09)
5. E-mail and other information requests – 1) Discuss and approve the privacy log and release of former Commissioner Mood’s PSC computer e-mails; 2) Discuss and approve the privacy log and release of Commissioner Molnar’s PSC computer e-mails; 3) Discuss and approve response to Mike Dennison’s December 15, 2008, letter regarding payment of costs for ITSD retrieval of e-mail information, sent in response to PSC letter of November 25, 2008; 4) Discuss draft response to Ken Peterson letter to Robin and the Commission on behalf of Commissioner Molnar; 5) Discuss as necessary other matters related to the Lee Bureau and Mary Jo Fox requests for information, and give direction as necessary and as the Commission is prepared to do so. (2/3/09)
6. 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. (2/3/09)

7. **2/2/09, 2/4/09, 2/5/09, 2/6/09 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. (2/2/09, 2/4/09, 2/5/09, 2/6/09)  
(Commission Conference Room – live web audio feed – not archived)

### **Other Meetings**

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.

1. Citizens Telecommunications N2009.1.7 (Scott)

On January 26, 2009, Citizens filed Advice Letter No. MT-09-01, Frontier Business Metro Service. The purpose of this filing is to introduce Frontier Business Metro bundled service. This bundle will be available to all single-party Business customers. The Company is requesting that this filing become effective on February 27, 2009.

**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. Alltel Communications, Inc. D2008.9.111 (Justin)

On January 27, 2009, Alltel Communications, Inc. (Alltel) filed a motion for protective order to govern access to certain confidential information requested in this docket. Alltel seeks issuance of a Commission protective order governing the treatment to be afforded the network signal coverage and improvement reports and computer modeling.

**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**

D2009.1.5 – Miller Oil Company dba The City Line – Application for Approval of Annual True-Up of Propane Cost Tracking Adjustment

D2009.1.6 – Ron Tussing and Dr. Paul Williamson – Petition to Promulgate a Rule Requiring LED Luminaires on All New Street and Area Lighting

Applications

N2009.1.7 – Citizens Telecommunications Company of Montana dba Frontier Communications of Montana – Advice Letter No. MT-09-01, Introduce Frontier Business Metro Bundled Service