

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-06-16**

Date Published: June 11, 2009
For Work Week Commencing: June 15, 2009
Commission Meeting: June 16, 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.

1. NorthWestern Corporation (NOR) D2009.5.68 (Eric)

On May 22, 2006, NOR filed an application seeking authority to amend its Unsecured Credit Agreement. The primary amendments to the existing agreement are related to the amount (\$250 Million), interest rate (market spread based on LIBOR), and term, 3 years from the date of the closing of the amendment to the existing credit agreement. **Probable Motion:** Grant NOR's application to amend the existing Unsecured Credit Agreement. A Default Order has been drafted.

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

1. Complaint No. 32771 – John Vogele (Townsend) complaint against Qwest Corporation regarding intermittent service outages and poor quality of reception on his Qwest wireline service – Consider complaint and determine whether the matter should be set for hearing. (6/16/09)
2. N2009.5.58 – Lincoln Telephone Company, Inc. (LTC) – Motion for Protective Order Relating to Schedule 27 of its 2008 Annual Report – Consider the draft Commission motion and supporting memorandum challenging a part of LTC's request for a protective order re: employee compensation. (6/16/09)
3. Rulemaking on executive pay confidentiality – Discuss directing staff to begin a rulemaking process on protective orders for Montana-based top management and executive compensation for regulated public utilities. (6/16/09)
4. D2009.5.66 – Energy West Montana - Cascade – Application for Authorization to Convert Existing Propane System to a Natural Gas System and to Adjust Existing Rates Accordingly – Discuss and act on interim order. (6/16/09)
5. D2009.5.62 and D2008.5.45 – NorthWestern Energy (NWE) – Application for Approval of Electric Supply Deferred Cost Account Balance and Projected Electric Supply Cost (2009 and 2008) – Discuss and act on NWE's Motion to Consolidate. (6/16/09)

6. D2008.5.57 – Energy West, Incorporated – Petition for an Order Approving its Corporate Reorganization to Create a Holding Company Structure – Discuss and act on final order and other matters in this docket. (6/16/09)
7. D2009.1.9 – AquaFlo, LLC – Application to Implement Increased Rates for Water Service in its Helena, Montana, Service Area – Discuss and act on AquaFlo's motion to suspend the Procedural Order. (6/16/09)
8. Out of state travel – Obtain approval for Brian DeKiep to travel to Boise, ID, July 22-23, for the Northern Tier Transmission Group's stakeholder and joint committee meeting. (6/16/09)
9. FY 2009/FY 2010 budget – 1) Discuss payment of remaining FY 2009 NRRI dues (\$3,750) and 2) Discuss \$450 one-time lump sum payments to employees earning less than \$45,000 as approved by the 2009 legislative session and consider including Sarah Carlson, who is exempt, in the group of employees receiving the one-time payments. (6/16/09)

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 N2009.5.77 (Scott)

On May 28, 2009, Citizens Filed Advice Letter No. MT-09-08. The purpose of this filing is to reduce the Frontier Digital Phone and Frontier Digital Phone Plus feature package and add additional features to the package. The company requests the filing become effective June 29, 2009.

2. Citizens Telecommunications N2009.6.81 (Scott)

On June 4, 2009, Citizens filed amendments to its Frontier Digital Phone Essentials/Bronze and New Bundle Frontier package. The amendments are to correct special conditions associated with the Frontier Digital Phone Essentials and Frontier Unlimited MT bundles.

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. NorthWestern Energy D2009.5.63 (Justin)

On May 29, 2009, NorthWestern Energy filed a Motion for Protective Order seeking protection from public disclosure nine categories of information involving natural gas purchases and negotiation proposals.

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. Alltel Communications D2008.9.111 (Justin)

On June 8, 2009, the PSC issued a term protective order, Order No. 6969c, in which Alltel's motion requesting protection of customer complaint reports, network signal coverage and improvement reports, USAC filings, and Form 477 compliance filings was granted in part and denied in part.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2009.5.62 – NorthWestern Energy – Application for Approval of Electric Supply Deferred Cost Account Balance and Projected Electric Supply Cost

D2009.5.63 – NorthWestern Energy – Application for Approval of Unreflected Gas Supply Cost Account Balance for the 12-Month Period July 1, 2009 through June 30, 2010 and Gas Transportation Adjustment Clause (GTAC) Balance as of April 30, 2009

D2009.5.74 – Verizon Business Services, AT&T Communications of the Mountain States, Inc. and Sprint Communications Company L.P. – Petition for Waiver or Regulations Requiring the Filing of Tariffs or Price Lists for Intrastate Interexchange Services

D2009.5.75 – Front Range Pipeline, LLC – Proposed Tariff Increase

D2009.5.76 – Cenex Pipeline, LLC Proposed Tariff Increase

N2009.5.77 – Citizens Telecommunications Company of Montana dba Frontier Communications of Montana – Advice Letter No. MT-09-08, Revisions to Frontier Digital Phone and Frontier Digital Phone Plus Feature Package

D2009.5.78 – NorthWestern Energy – Request for Approval of its Bonneville Power Administration 2009 Residential Exchange Credit Filing

D2009.6.79 – Boeing Company and Montana Aviation Research Company – Petition for Declaratory Ruling on Public Service Commission Jurisdiction

D2009.6.80 – Qwest Corporation and NSW Telecom, Inc. – Application for Approval of Wireline Interconnection Agreement

N2009.6.81 – Citizens Communications Company of Montana dba Frontier Communications of Montana – Advice Letter No. MT-09-06 – Amendment to Frontier Digital Phone Essentials/Bronze and New Bundle Frontier Unlimited State Package