

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-07-23**

Date Published: July 16, 2009
For Work Week Commencing: July 20, 2009
Commission Meeting: July 23, 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. Qwest Corporation N2009.6.86 (Scott)

On June 19, 2009, Qwest filed Tariff Transmittal 09-04 - Network Premises Work Charges - Trenching Charges. This filing will create two new USOCs, one for trenching jobs 1-300 feet and one for trenching jobs 301-600 feet. In both instances, the charges will include the cost of the buried service wire as well as the trenching. Probable Motion: Approve Qwest's Tariff Transmittal 09-04 in Docket N2009.6.86.

2. AT&T N 2009.7.93 (Scott)

On July 1, 2009, AT&T filed Tariff Transmittal 2009-11. This filing introduces AT&T One rate Plus Plan. It also changes the name of AT&T International AnyWhere Plan to be AT&T AnyWhere Plan, as well as making a clarifying language change to AT&T one Rate® Off Peak V Plan. Probable Motion: Approve AT&T's Tariff Transmittal 2009-11 in Docket N2009.7.93.

3. BLACK HILLS POWER D2009.6.89 (Eric)

On June 22, 2009, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on June 24, 2009. Requests for hearing were due by July 21, 2009. No requests have been received. This application will increase revenues by \$51,614 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.

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

1. D2009.5.75 – Front Range Pipeline – Application to Increase Rates and Charges to Shippers on its Petroleum Products Pipeline from the International Boundary to Billings, MT. – Discuss draft order. (7/23/09)
2. D2009.5.76 – Cenex Pipeline – Application to Increase Rates and Charges to Shippers on its Petroleum Products Pipeline from Laurel to Billings and Glendive and from Billings to Glendive, MT – Discuss draft order. (7/23/09)

3. D2009.4.47 – Montana Dakota Utilities – Application to Implement a Conservation Tracking Adjustment for Natural Gas Conservation Programs – Discuss draft final order. (7/23/09)
4. D2008.11.132 – Energy West Incorporated – Application for Approval of Its Acquisition of and Transfer of Stock of Brainard Gas Corporation, Great Plains Natural Gas Company, Lighting Pipeline Company, Inc., and Great Plains Land Development Co., Ltd. – Discuss and act on Energy West Incorporated’s Motion to Withdraw Application and Close Docket. (7/23/09)

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.

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

D2009.7.95 – NorthWestern Energy – Application for 2009 Annual Avoided Cost Compliance Filing – Schedule QFLT-1

D2009.7.96 – Qwest Corporation and Ionex Communications North, Inc. d/b/a Birch Communications – Application for Approval of Interconnection Agreement

D2009.7.97 – Energy West Montana – Monthly Gas Cost Tracking Application for the Period August 1, 2009 through March 31, 2010

D2009.7.99 – NorthWestern Energy – monthly Natural Gas Cost Rate Adjustment

N2009.7.100 – PSC Initiated – possible Adoption of Rules Regarding the Proprietary Nature of Utility Executive Compensation