

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 09-07-28**

Date Published: July 23, 2009  
For Work Week Commencing: July 27, 2009  
Commission Meeting: July 28, 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 D2006.8.123 (Gary)

Qwest Corporation/Bresnan Broadband of Montana, LLC - Interconnection Agreement Amendment. Qwest Corporation filed for approval by the Commission a "Single Point of Presence (SPOP)" amendment between the parties in Docket No. D2006.8.123. this amendment establishes one point of presence in each of Qwest's Montana LATAs for the exchange of traffic. This amendment was voluntarily negotiated by the parties involved. Staff recommends approval of this amendment. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and Bresnan Broadband of Montana, LLC in Docket No. D2006.8.123.

2. Qwest Corporation D2008.6.63 (Gary)

Qwest Corporation/Etopia Communications, LLC - Interconnection Agreement Amendment. Qwest Corporation filed for approval by the Commission a "Reciprocal Compensation Rate Election" amendment between the parties in Docket No. D2008.6.63. This amendment changes the existing reciprocal compensation rate to the FCC ISP-Bound rate. This amendment was voluntarily negotiated by the parties involved. Staff recommends approval of this amendment. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and Etopia Communications, LLC in Docket No. D2008.6.63.

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

1. Montana Sky Networks, Inc. – Informal Complaint against CenturyTel of Montana, Inc. – To consider accepting Sky Networks filings as a formal complaint. (7/28/09)
2. Central Montana Communications, Inc. v. Alltel Communications, LLC – Central Montana's Complaint that Alltel mis-assigned block of Central Montana's assigned numbers – To consider whether the Commission has jurisdiction over the complaint. (7/28/09)

3. D2004.1.7 – Sagebrush Cellular Inc (SCI) – Eligible Telecommunications Carrier – Request for extension of a portion of SCI's initial build-out plan – Discuss and act on SCI's Request. (7/28/09)
4. N2008.12.144 – Qwest Quality of Service (QOS) – Brief the Commission on the QOS findings that staff reported in its May 2009 Memo. (7/28/09)
5. D2008.3.27 – Energy West Inc./Cut Bank Gas Co. – Joint Application of Energy West Inc. and Cut Bank Gas Co. for Approval of the Acquisition of Cut Bank Gas Co. by Energy West Inc. – Discuss and act on Energy West Inc.'s motion for approval of stipulation and settlement agreement and for approval of acquisition of Cut Bank Gas Co.. (7/28/09)
6. Organization of MISO State (OMS) Comments to the Federal Energy Regulatory Commission (FERC) – Discuss OMS comments to FERC regarding 1) Midwest ISO proposed solution to the “Otter Tail Problem” of cost allocation and 2) Midwest ISO allocation of North American Electric Reliability Corporation (NERC) penalty cost. (7/28/09)
7. Eastern Interconnection Planning – Consider Proposed Commitment Letter. (7/28/09)

### **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.

1. **Qwest Corporation Multi State and Individual Case Basis Agreements**

Any qualified person who signs a non-disclosure agreement pursuant to the term protective Order No. 6999 in Docket No. D2009.5.60 may review these agreements at the Commission's offices, 1701 Prospect Ave. Helena, MT, 59620, or at Qwest's office, 441 North Park Avenue, Helena, Mt. 59601. If any interested party has reason to believe that Qwest's prices are below relevant costs in these agreements, the interested party may file an objection with the Commission within 30 days of the date of these notices (please see Qwest Alternative Form of Regulation (AFOR) Docket No. D2008.1.3, Order No. 6889n, Joint Stipulation).

**1.) Qwest Corporation/Avis Budget Car Rental, LLC**

Qwest Corporation (Qwest) and Avis Budget Car Rental, LLC (Avis) have signed a Multi-State Agreement for Qwest to provide certain telecommunications services to Avis.

**2.) Qwest Corporation/Marriott International Services, Inc.**

Qwest Corporation (Qwest) and Marriott International Services, Inc. (Marriott) have signed a Multi-State Agreement for Qwest to provide certain telecommunications services to Marriott.

**New Filings Received in Past Week**

D2009.7.98 – NorthWestern Energy – Monthly Electric Default Supply Cost Rate Adjustment

D2009.7.101 – Qwest Corporation and Easton Telecom Services, LLC –  
Application for Approval of Interconnection Agreement