

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-09-22**

Date Published: September 17, 2009
For Work Week Commencing: September 21, 2009
Commission Meeting: September 22, 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. CenturyTel N2009.9.120 (Scott)

On September 4, 2009, CenturyTel filed Advice No. 09-04. The purpose of this filing is to introduce Outbound Call Block as a new feature. The Company requests an effective date of October 5, 2009. Probable Motion: Approve CenturyTel's Advice No. 09-04 in Docket N2009.9.120

2. NorthWestern Energy D97.11.219 (Eric)

On September 8, 2009, NWE filed its semi-annual true-up Advice Letter pursuant to Order No. 6035a. This filing is made by NWE in its role as servicer of the Natural Gas Transition Bonds. If the previous six-month period variance between the scheduled debt service and the actual amounts available to satisfy the scheduled debt service for such period exceeds 2 percent NWE is required to apply for adjustment to the Fixed Transition Amount (FTA) charges. The variance for the period was an over collection of 4.82 percent or \$178,302. A decrease in FTA-GP, FTA-RA (Core), FTA-RA (Utility) and FTA-RA (Non-Core) rates is necessary based on future payment obligations and projected market load. The new FTA rates should ensure enough funds are collected to make the next principal and interest payment.

Also on September 8, 2008, NWE filed new schedules for the CTC-GP-Credit and CTC-RA-Credit. These two credit rate schedules pertain to certain rate base credits associated with the gas production and regulatory asset transition costs. There are slight decreases to the FTA-GP, FTA-RA (Core) credits and FTA-RA (Non-Core) and a slight increase to the FTA-RA (Utility).

Staff recommends that the changes in the FTA charges and credits be approved effective October 1, 2009. Probable Motion: Approve NWE's requested rate changes for the semi-annual true-up of NWE's Natural Gas Transition Bonds.

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

1. D2009.7.94; D2009.7.96; D2009.7.101 – Hot Springs Telephone Company; Alltel Communications, LLC; Qwest Corporation; Ionex Communications North d/b/a Birch Communications; Easton Telecom Services, LLC – Interconnection Agreements – Discuss and act on the agreements. (9/22/09)
2. N2008.12.144 – Qwest Quality of Service (QOS) Investigation – Review the Final Order drafted pursuant to Commission direction. Discuss as necessary

any and all aspects of this investigation in order to issue a Final Order.
(9/22/09)

3. N2009.8.110 – Montana PSC Annual Certification of ETCs to the FCC - Discuss any and all matters involving the PSC annual certification of ETCs to the FCC. (9/22/09)
4. D2008.8.95 – NWE – Application for Approval to Construct and Operate the Mill Creek Generating Station to Supply Regulation Service – Decide whether to hire Vantage Consulting to advise the commission on Mill Creek construction and cost. (9/22/09)
5. N2009.4.49 – PSC Consideration of Energy Independence and Security Act of 2007 Standards – Obtain direction concerning workshop. (9/22/09)
6. D2009.9.123 and D2009.9.124 – MCC and PSC Tax Orders – Approve the MCC and PSC tax orders to reflect the new rates. (9/22/09)
7. Placeholder – Lee Bureau Request for E-mails – Consider and approve privacy logs for the production of e-mails for accounts of Commissioner Molnar, and former Commissioners Mood and Raney – Consider other matters, if necessary, relevant to the Lee request. (9/22/09)

Other Meetings

9/22/09 1:30 p.m. – Northwest Energy Efficiency Alliance presentation (Bollinger Room)

9/23/09 1:00 p.m. – Western Electricity Coordinating Council Informational Meeting (Bollinger Room)

9/24/09 8:00 a.m. – Energy & Telecommunications Interim Committee Meeting (State Capitol)

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 this agreement 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 this agreement, the interested party may file an objection with the Commission within 30 days of the date of this notice (please see Qwest Alternative Form of Regulation (AFOR) Docket No. D2008.1.3, Order No. 6889n, Joint Stipulation).

1.) Qwest Corporation/Edward D. Jones & Co., L.P.

Qwest Corporation (Qwest) and Edward D. Jones & Co., L.P. (Edward Jones) have signed a Multi-State Agreement for Qwest to provide certain telecommunications services to Edward Jones.

New Filings Received in Past Week

D2009.9.121 – Montana-Dakota Utilities Co. – Application for Authority to Implement a Gas Cost Tracking Adjustment Change Effective Oct. 1, 2009 and Calculation of Unreflected Gas Cost Adjustment for Period Oct. 1, 2009 through Sept 30, 2010

D2009.9.122 – Montana-Dakota Utilities Co. – Biennial Filing of Electric Integrated Resource Plan

D2009.9.123 – PSC Initiated – MCC Funding Fees

D2009.9.124 – PSC Initiated – PSC Funding Fees