

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-10-06**

Date Published: October 1, 2009
For Work Week Commencing: October 5, 2009
Commission Meeting: October 6, 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. N2009.7.92 and D2007.6.70 – Qwest – Regional Oversight Committee’s analysis of Qwest Corp.’s performance assurance plans and Qwest’s application for approval of a stipulation reached between Qwest and Eschelon Telecom, DIECA Communications, McLeod USA, and US Link to modify the performance indicator definitions and performance assurance plan – Discuss /act on draft proposed order. (10/6/09)
2. D2009.9.129 – NorthWestern Energy (NWE) – Application for Authority to Establish Increased Natural Gas and Electric Delivery Service Rates and Implement Allocated Cost of Service and Rate Design Proposals – Discuss and act on NWE’s Motion for Extension of Time and Motion for Partial Waiver of ARM 38.5.106. (10/6/09)
3. D2009.4.52 – Formal Complaint – Concerned Citizens of Virginia City vs. Virginia City, Montana – Consider and act on the formal complaint alleging the Town’s sewer rates are unreasonable or unjustly discriminatory. (10/6/09)
4. D2009.9.121 and D2007.9.108 – Montana-Dakota Utilities Co. – Applications for Authority to Implement a Gas Cost Tracking Adjustment – Discuss consolidating MDU’s gas tracker filing in D2007.9.108 with its most recent gas tracker filing. (10/6/09)
5. PSC Initiated – Annual rulemaking to update pipeline safety administrative rules – Initiate the annual rulemaking process to update pipeline safety rules. (10/6/09)
6. Placeholder – PSC Initiated – Minimum filing requirement rules for preapproval applications for acquisition of gas facilities – Discuss and receive Commission direction on initiating rulemaking on minimum filing requirements for acquisition of gas facilities. (10/6/09)
7. N2008.8.101 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer’s Payment Arrangement – Discuss NWE’s request for further review of a medically declared account and for Commission approval to proceed with disconnect of services if payment of the arrears is not made immediately. (10/6/09)
8. PSC Comments to Energy & Telecommunication Interim Committee (ETIC) – Discuss/act on draft comments to ETIC on 3 energy policy issues. (10/6/09)

9. Northwest Power & Conservation Council's draft Sixth Northwest Power Plan – Consider whether to submit comments on the draft plan. (10/6/09)

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. Ronan Telephone Company N2009.9.131 (Scott)

On September 28, 2009, Ronan Telephone Company (RTC) filed a proposed tariff for Digital Primary Rate Interface (DPRI). The purpose of this filing is to introduce DPRI as a new offering. DPRI is a digital architecture that provides an integrated voice/data capability to the customer premises facility, utilizing the public switched network. Ronan is requesting an effective date of October 21, 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.

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

D2009.9.129 – NorthWestern Energy – Application for Authorization to Establish Increased Natural Gas and Electric Delivery Service Rates and Implement Allocated Cost of Service and Rate Design Proposals

D2009.9.130 – BPHI Sewer Company – Application to Implement Initial Rates for Sewer Service in Bozeman, Montana

N2009.9.131 – Ronan Telephone Company – Introduce Digital Primary Rate Interface