

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-10-27**

Date Published: October 22, 2009
For Work Week Commencing: October 26, 2009
Commission Meeting: October 27, 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. BLACK HILLS POWER D2009.9.125 (Eric)

On September 18, 2009, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on September 22, 2009. Requests for hearing were due by October 26, 2009. No requests have been received. This application will increase revenues by \$105,656 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. D2009.8.106 – Havre Pipeline Company, LLC – Application to Decrease Rates and Charges to its Direct Rural Farmstead Customers – Approve order nunc pro tunc. (10/27/09)
2. Placeholder – D2008.3.27 – Energy West Incorporated and Cut Bank Gas Company – Joint Application for Approval of the Acquisition of Cut Bank Gas Company by Energy West Incorporated – Discuss and act on the application and draft final order. (10/27/09)

Other Meetings

10/27/09 12:00p.m. – NRRI teleseminar: “The Two Sides of Cost Trackers: Why Regulators Must Consider Both” (Commission Conference Room - no web audio feed)

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. CenturyTel N2009.10.135 (Scott)

On October 16, 2009, CenturyTel filed Advice No. 09-36A. This filing updates the Title Page to reflect the use of an assumed business name by CenturyTel of Montana Inc. The assumed business name is CenturyLink. The Company's legal name remains CenturyTel of Montana, Inc.

2. CenturyTel N2009.10.136 (Scott)

On October 16, 2009, CenturyTel filed Advice No. 09-05. This filing updates the Title Page of CenturyTel's Wholesale Tariff to reflect the use of an assumed business name by CenturyTel of Montana Inc. The assumed business name is CenturyLink. The Company's legal name remains CenturyTel of Montana, Inc.

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 D2009.9.129 (Al)

On October 13, 2009, NorthWestern Energy (NWE) filed a motion for protective order to govern access to certain confidential information that has been provided to one of NWE's expert witnesses in this docket. Specifically, NWE seeks protection of the "forecast financial data concerning NorthWestern Montana's expenses for the years 2013 through 2014. These itemized expenses include operations and maintenance expenses for natural

gas transmission, distribution and storage and electric transmission and distribution activities.” NWE asserts that the information is trade secret.

2. Utility Solutions, LLC (USLLC) D2005.11.163 & D2005.11.164 (A)

On October 20, 2009, USLLC filed a motion for protective order to govern access to certain confidential information that will be provided in response to data requests. Specifically, USLLC seeks protection for its income tax returns. USLLC asserts that tax returns are confidential under federal and state law.

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

N2009.10.135 – CenturyTel of Montana, Inc. dba CenturyTel – Advice No. 09-36A, Updates to P.S.C. MONT. AC-5 Tariff Pages to Reflect the Use of the Assumed Business Name CenturyLink

N2009.10.136 – CenturyTel of Montana, Inc. dba CenturyTel – Advice No. 09-05, Updates to P.S.C. MONT. 12 and Wholesale Tariff Pages to Reflect the Use of the Assumed Business Name CenturyLink

N2009.10.137 – PSC Initiated – Renewable Portfolio Standards Compliance Filings for Compliance Year 2008