

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 09-11-03**

Date Published: October 29, 2009  
For Work Week Commencing: November 2, 2009  
Commission Meeting: November 3, 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 N2009.10.135 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. Probable Motion: Approve CenturyTel's request in Advice No. 09-36A in Docket N2009.10.135.

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. Probable Motion: Approve CenturyTel's request in Advice No. 09-05 in Docket N2009.10.136.

3. Southern Montana Telephone Company N2009.8.113 Scott)

On August 25, 2009, Southern Montana Telephone Company (SMTC) pursuant to §69-3- 901 MCA gave Notice of proposed Increase in Local Rates, SMTC proposes to increase its local residential service rates from \$11.50 per month to \$13.75 per month. It also proposes to increase its local business service rate from \$13.50 to \$16.75. Probable Motion: Approve SMTC's increase in Docket N2009.8.113.

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

1. D2005.11.163 & D2005.11.146 – Utility Solutions, LLC – Application for permanent water and sewer rates – Discuss and act on Utility Solutions' motion for a protective order covering USLLC federal and state income tax returns. (11/03/09)
2. D2009.9.129 – 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

protective order covering forecast financial data concerning NWE’s expenses for 2013 through 2014. (11/03/09)

3. Northwest Power & Conservation Council’s Draft 6<sup>th</sup> Power Plan – Discuss and act on the draft of Commission comments. (11/03/09)
4. Organization of MISO State (OMS) comments to the Federal Energy Regulatory Commission (FERC) – 3 possible action items for the OMS BOD meeting on October 30, 2009 regarding comments to the FERC. (11/03/09)
5. Northern Tier Transmission Group (NTTG) comments to the FERC – NTTG comments to the FERC regarding Order 890 Transmission Planning and Cost Allocation. (11/03/09)

**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. Qwest LD Corporation N2009.10.138 (Scott)

On October 23, 2009, Qwest LD Corporation (QLDC) filed Tariff Transmittal QLDC 09-04, Qwest Choice Unlimited Plan-Business. QLDC is requesting to remove a discount for Qwest Choice Unlimited Plan-Business customers who sign up for a 1, 2 or 3-year term commitment. There are no customers currently on this offer.

2. Qwest Communication Company N2009.10.139 (Scott)

On October 23, 2009, Qwest Communication Company (QCC) filed Tariff Transmittal QCC 09-04, Qwest Choice Unlimited Plan-Business. QCC is

requesting to remove a discount for Qwest Choice Unlimited Plan-Business customers who sign up for a 1, 2 or 3-year term commitment. There are no customers currently on this offer.

**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. Salish Shores Utility Corp. D2006.10.146 (Justin)

On October 27, 2009, Salish Shores Utility Corp. (Salish Shores) filed a motion for protective order to govern access to certain confidential information that has been requested by the Montana Consumer Counsel in data requests in this docket. Specifically, Salish Shores seeks protection of its federal and state tax returns and tax return information. Salish Shores asserts that the information is confidential pursuant to state and federal law and is subject to protection from disclosure.

**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/Enterprise Leasing Company, LLC

Qwest Corporation (Qwest) and Enterprise Leasing Company (Enterprise) have signed a Multi-State Agreement for Qwest to provide certain telecommunications services to Enterprise.

**New Filings Received in Past Week**

N2009.10.138 – Qwest Corporation – Tariff Transmittal QLDC 09-04 – Qwest Choice Unlimited Plan – Business

N2009.10.139 – Qwest Corporation – Tariff Transmittal QCC 09-04 – Qwest Choice Unlimited Plan - Business