

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-11-10**

Date Published: November 5, 2009
For Work Week Commencing: November 9, 2009
Commission Meeting: November 10, 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 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. Probable Motion: Approve QLDC Tariff Transmittal QLDC 09-04 in Docket N2009.10.138.

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. Probable Motion: Approve QCC Tariff Transmittal QCC 09-04 in Docket N2009.10.139.

3. NorthWestern Energy Docket N2009.10.140 (Eric)

On October 2, 2009 NWE filed an application seeking authority to accumulate the under and over collections of MPSC and MCC taxes starting on October 1, 2009. Due to a lack of materiality NWE has chosen to defer reflecting these tax decreases at this time. NWE proposes to accrue both under and over collections for inclusion in its next general rate filing. The under and over collections will be carried on NWE's books as regulatory liabilities and assets until returned to or recovered from customers. Probable Motion: Grant NWE's request to accrue under and over collections of the MPSC and MCC tax decreases until the next general rate case.

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

1. D2006.10.146 – Salish Shores Utility Corp. – Amended Application to Increase Rates for Water Service in its Sanders County, MT Service Area – Consider and act on the Motion for Protective Order. (11/10/09)
2. D2006.7.108 – Westech Energy Corporation/KWB Pipeline – Application to Establish Initial Rates and Charges for Natural Gas Transportation Service -

Consider and Act on Motion to Withdraw and Motion for Stay of Proceeding.
(11/10/09)

3. D2009.9.129 – NWE – General Rate Case Filing – 1) Discuss whether NWE’s filing is in compliance with the Administrative Rules of Montana. 2) Discuss NWE’s October 30, 2009 motion to supplement its general rate case filing. 3) Obtain Commission decisions, as necessary, to resolve any issues associated with NWE’s filing, as supplemented. (11/10/09)

4. Placeholder - Federal One Call Grant – Discuss with the Commission the possibility of applying for the 2010 federal one call grant to help the Montana Utility Coordinating Council with implementing new reporting requirements. (11/10/09)

Other Meetings

11/9/09, 9:30 a.m. – 5 p.m., and 11/10/09, 8 a.m. – 5 p.m. – Energy & Telecommunications Interim Committee Meeting (State Capitol Room 102)

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 Corporation N2009.11.142 (Scott)

On November 2, 2009, Qwest Corporation filed Tariff Transmittal 09-09. Qwest is requesting to move Selective Carrier Denial from Section 12 to Section 6 of the Access Service Tariff. Qwest seeks to consolidate the SCD toll denial feature with other toll denial features currently available in the Access Tariff.

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.

1. Utility Solutions LLC D2005.11.163 and D2005.11.164 (Robin)

On November 5, 2009 the Commission issued Protective Order No. 6707d in these dockets, covering disclosure of certain federal and state tax return information that has been requested in discovery.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2009.10.140 – NWE – Request for Authorization for Accumulation of Under and Over Collections of MPSC and MCC Taxes Starting on October 1, 2009
N2009.10.141 – Montana-Dakota Utilities Co. – Tariff Change – Maximum Allowed Percentage of Poverty Guideline
N2009.11.142 – Qwest Corporation – Tariff Transmittal 09-09 – Move Selective Carrier Denial from Section 12 to Section 6 of the Access Service Tariff