

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 09-11-24**

Date Published: November 19, 2009  
For Work Week Commencing: November 23, 2009  
Commission Meeting: November 24, 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. NorthWestern Energy N2009.11.143 (Eric D)

On November 6, 2009, NorthWestern Energy Corporation (NWE) filed a request for approval to implement a new Therm Billing Zone. The proposed Therm Billing Zone is identified as Zone 30 and is currently included within the existing Therm Billing Zone 16. Implementation of the new Therm Billing Zone is necessary because a new natural gas source will be added to NWE's natural gas transmission system. Implementation of the new Therm Billing Zone will ensure customers continue to be billed equitably. Probable Motion: Approve the addition of Therm Billing Zone 30.

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

1. N2008.12.144 – PSC Investigation of Qwest - Quality of Service – Consider and act on Qwest's Motion to Reconsider Order No. 6994a. (11/24/09)
2. D2006.2.24 – Vigilante Electric Cooperative and NorthWestern Energy – Application for Approval of an Exclusive Service Agreement – Discuss and act on order modifying the exclusive service agreement. (11/24/09)
3. N2009.10.133 – Commission Initiated – Acquisition of Natural Gas Resource Minimum Filing Requirements Rulemaking – Discuss comments and get direction on natural gas rulemaking notice. (11/24/09)
4. N2007.11.138 – NorthWestern Energy – Status Report and Motion for Extension of Time to File 2009 Electricity Supply Resource Procurement Plan – Discuss and act on NWE's motion. (11/24/09)
5. N2009.10.137 – Renewable portfolio standards compliance filings for compliance year 2008 – Discuss and act as necessary on RPS compliance filings from Electric City Power, ConocoPhillips, Western Area Power Administration, and failure by Powerex to submit compliance information. (11/24/09)
6. Placeholder – 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 reconsideration and motion to bifurcate general rate case application. (11/24/09)

7. Personnel Issue – Discuss and act on personnel issue. (11/24/09)

### **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. CenturyTel N2009.11.144 (Scott)

On November 17, 2009, CenturyTel filed Advice No. 09-06. The purpose of this filing is to introduce the Flexible Savings Bundle. The Company request an effective date of December 17, 2009.

2. Verizon Business Service N2009.11.145 (Scott)

On November 17, 2009, Verizon requested to grandfather Fund description language and fund deposit language found in Checkbook Plan 2004 and Regional Checkbook Plan 2004; and Revise Flex T1 Plan language. Verizon is requesting an effective date of December 1, 2009.

3. CenturyTel N2009.11.146 (Scott)

On November 18, 2009, CenturyTel filed Advice No. 09-07. The purpose of this filing is to add information for Telephone Service Priority System. The Company request an effective date of December 18, 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.

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

On November 10, 2009, the Commission granted USLLC's motion for protective order to govern access to its income tax returns.

2. NorthWestern Energy (NWE). D2009.9.129 (A)

On November 10, 2009, the Commission granted NWE's motion for protective order to govern access to "forecast financial data concerning NorthWestern Montana's expenses for the years 2013 through 2014.

**Information Items** All items identified below are for information only.

1. **Qwest Corporation The introduction of a new service**

Pursuant to Order No. 6889n in Docket D2008.1.6 at the time Qwest first offers a service, Qwest shall file with the Commission a price list and the proposed classification for the service. New Services may be offered to customers one (1) day after filing. If neither an interested party nor the Commission objects to Qwest's classification within thirty (30) days from the date of filing, Qwest's proposed classification is approved. If any objection is filed, Qwest shall have twenty (20) days to respond to the objection(s). After such further proceedings as may be appropriate, the commission shall make a final determination as to the appropriate classification within ninety (90) days from the date of the filing of the New Service. If the Commission does not act within ninety (90) days, the classification is approved as filed.

- 1) On November 12, 2009 Qwest filed Price List Transmittal 09-EPL-06 Convenience Fee as a non-price regulated service. A Convenience Fee of \$4.00 will be assessed to residential customers who make one-time payment using electric funds transfer or with a credit card through a Qwest customer

representative or the Qwest voice response unit. A convenience fee of \$1.00 will be assessed for one-time payment made online through the qwest.com web site. This charge for one-time payment will appear on the customer's bank or credit card statement along with the payment. The customer can continue to use other bill payment options without incurring the convenience fee charge.

### **New Filings Received in Past Week**

N2009.11.144 – CenturyTel of Montana, Inc. d/b/a CenturyTel – Advice No. 09-06 – Flexible Savings Bundle  
N2009.11.145 – Verizon Business – Transmittal Letter No. 09-09 – Grandfather Fund Language - Revise Flex T1 Plan (Enhanced Package) Language  
N2009.11.146 – CenturyTel of Montana, Inc. d/b/a CenturyLink – Advice No 09-07 – Telephone Service Priority Systems  
N2009.11.147 – Qwest Corporation – Motion for Protective Order re Commission's Data Request for Boulder DSL Customer List