

REVISED

MONTANA PUBLIC SERVICE COMMISSION AGENDA NO. 10-08-24

Date Published: August 19, 2010
For Work Week Commencing: August 23, 2010
Commission Meeting: August 24, 2010, 9:00 a.m.

General Introduction This agenda is the Commission's 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://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 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. Approval of Commission Minutes _____ (Kate)

Approval of the Commission Minutes for the week of August 16, 2010.

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

1. Motor carriers – PSC Initiated – Discuss and act on proposed rules for clarifying motor carrier authorities. (8/24/10)
2. PSC legislation – Review/act on the 6 PSC bill drafts that ETIC approved for pre-introduction at its last meeting. (8/24/10)
3. Qualifying facilities – The first Jergeson Intern, Jennifer Hill-Hart, will summarize her qualifying facilities research. (8/24/10)
4. **1:00 p.m.** – Qualifying Facilities – Jergeson Intern, Jennifer Hill-Hart, will present her qualifying facilities research. (Bollinger Room) (8/24/10)

Other Meetings

1. **8/23/2010 9:00 a.m. – 5:00 p.m. (Best Western Great Northern Hotel - no web audio feed) – NorthWestern Energy has invited Commissioners to attend its Leadership NorthWestern class on utility regulation, and specifically to participate in the “Rappin’ with the Regulators” session at 3:30 p.m. Three or more Commissioners may attend and/or participate. The Commissioner(s) will not consider, discuss, speak on, or answer questions on, contested case issues that are currently pending before the Commission.**

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. Lightning Ram, Inc. dba Shuttle to Big Sky and Taxi N2477 (Eric D)

Lightning Ram, Inc. dba Shuttle to Big Sky and Taxi, Big Sky, Montana, requests that PSC No. 8995 be split. Currently PSC No. 8995 reads:

SUB C Class B – Persons and baggage between all points within Madison and Gallatin counties. Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle.

If granted the authority issued under PSC No. 8995 will be amended to read:

SUB D Class B – Persons and baggage between all points within Madison and Gallatin counties. Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle. (3) Operations in limousine service are prohibited.

A new PSC number will be issued for the split portion of the authority. It will read:

Class B - Persons and baggage in limousine service between all points within Madison and Gallatin counties. Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle

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 N2010.5.50 (Jason)

On August 11, 2010, NorthWestern Energy (NWE) filed a Motion for a Protective Order to govern access to certain information to be filed in this docket. Specifically NWE seeks to protect its “business strategy for future market purchases,” including information that “details specific percentages of forecasted electric supply that will be purchased by NWE and the timelines on which the purchases are to occur,” as well as “hard targets,’ which are trigger points at which NWE proposes to purchase supply in corresponding percentages for future delivery.”

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 Agreement**

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 the following 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 the 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/MidAmerican Energy Holding Company**

Qwest Corporation (Qwest) and MidAmerican Energy Holding Company (MidAmerican) have signed a multi-state agreement for Qwest to provide certain telecommunications services to MidAmerica...

New Filings Received in Past Week

N2010.8.83 – PSC Initiated – Annual Certification of Montana ETC's
N2010.8.84 – PSC Initiated – PSC Roundtable Regarding the FERC's Proposed
Rulemaking on Transmission Planning and Cost Allocation