

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 10-09-21**

Date Published: September 16, 2010  
For Work Week Commencing: September 20, 2010  
Commission Meeting: September 21, 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 September 13, 2010

2. Citizens Telecommunications Company N2010.9.91 (Scott)

On August 31, 2010, Citizens filed advice letter no. MT-10-04. The purpose of this filing is to introduce three new residential bundle services called Frontier Digital Phone State with Essential 1 Service, Frontier Digital Phone Nationwide with Essential 1 Service, and Frontier Digital Phone Nationwide Extra with Essential 1 Service. Citizens request that this filing become effective on October 4, 2010. Probable Motion: Approve Citizens' advice letter No. MT-10-04 in Docket N2010.9.91.

3. NorthWestern Energy D97.11.219 (Eric)

On September 9, 2010, NWE filed its semi-annual true-up Advice Letter pursuant to Order No. 6035a. This filing is made by NWE in its role as servicer of the Natural Gas Transition Bonds. If the previous six-month period variance between the scheduled debt service and the actual amounts available to satisfy the scheduled debt service for such period exceeds 2 percent NWE is required to apply for adjustment to the Fixed Transition Amount (FTA) charges. The variance for the period was an over collection of 1.39 percent or \$52,566. An increase in FTA-GP, FTA-RA (Non-Core), and a decrease in FTA-RA (Utility) is necessary based on future payment obligations and projected market load. The new FTA rates should ensure enough funds are collected to make the next principal and interest payment.

Also on September 9, 2010, NWE filed new schedules for the CTC-GP-Credit and CTC-RA-Credit. These two credit rate schedules pertain to certain rate base credits associated with the gas production and regulatory asset transition costs. There are slight increases to the FTA-GP, FTA-RA (Core) and FTA-RA (Non-Core) credits and a slight decrease to the FTA-RA (Utility) credit.

Staff recommends that the changes in the FTA charges and credits be approved effective October 1, 2010. Probable Motion: Approve NWE's requested rate changes for the semi-annual true-up of NWE's Natural Gas Transition Bonds.

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

1. TN2477 – Lightning Ram, Inc. d/b/a Shuttle to Big Sky and Taxi – Discuss and act on the request for the split of PSC No. 8995. (9/21/10)
2. D2010.6.67 – Qwest LD Corporation (QLD) and Qwest Communications Company, LLC (QCC) – Waiver of Tariff Filing Requirements – Discuss and act on the QLD and QCC petition for a waiver of tariff filing requirements. (9/21/10)
3. N2010.8.83 – Annual Certification of Montana Eligible Telecommunications Carriers - Review and get approval to send ETC certification letters to the FCC and USAC. (9/21/10)
4. D2003.1.14 – WWC Holding Company/Alltel – Notice of Relinquishment of its Designation as an Eligible Telecommunications Carrier – Discuss and get Commission direction on the Notice of Relinquishment. (9/21/10)
5. D2010.4.41 and D2010.6.59 – Mountain Water – Application To Implement Increased Rates for Water Service and To Establish a Distribution System Improvement Charge – Discuss and act on Notice of Withdrawal and to reset the Procedural Order. (9/21/10)
6. N2010.1.4 – ConocoPhillips – Renewable Portfolio Standard (RPS) Compliance Filings for Compliance Year 2009 – Discuss and act on: (1) Whether ConocoPhillips undertook all reasonable steps to procure renewable energy credits and is therefore entitled to a short-term waiver from full compliance with the RPS; and (2) Whether sales of electricity from ConocoPhillips' to its Refinery, and from ConocoPhillips to the ConocoPhillips Pipeline Company constitute "retail sales" under the RPS. (9/21/10)
7. FERC - Notice of Proposed Rulemaking on Transmission Planning and Cost Allocation – Consider and act on Commission signing off on draft comments of (a) OMS, (b) CREPC, and (c) NTTG. (9/21/10)

**Other Meetings**

**9/24/10 11:00 a.m. – 12:30 p.m. – Demand Response Coordinating Committee webinar/teleconference, “Building on the DR Legacy” (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.

**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. Mountain Water Company, D2010.4.41 (Justin)

On September 2, 2010, the Commission granted in part and denied in part Mountain Water Company (MWC)'s motion for protective order. The Commission granted protection to MWC and Park Water (Park)'s income tax return information. The Commission granted protection for MWC employee

compensation except those MWC executives with a total compensation greater than \$100,000. The Commission granted protection for Park employee compensation except those employees with a compensation in excess of \$85,000 that are currently supplied to the California Public Utility Commission and available to the public

2. NorthWestern Corporation N2010.5.50 (Jason)

On September 15, 2010, the Commission issued Order 7093b granting NorthWestern Energy's Motion for Protective Order for 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."

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

**New Filings Received in Past Week**

D2010.9.92 – Montana-Dakota Utilities Co. – Application for Authority to Implement A Gas Cost Tracking Adjustment Change Eff Oct 1, 2010 and Calculation of Unreflected Gas Cost Adjustment for Period Oct 1, 2010 through Sept 30, 2011

D2010.9.93 – Wettington Water District, Inc. – Application for Authority to Permanently Increase Rates for Water Service

D2010.9.94 – Mountain Water Company – Application to Implement a Power Cost Tracking Adjustment

N2010.9.95 – Montana-Dakota Utilities Co. – Application Requesting Permanent Waiver of the Federal Pipeline Safety Regulations