

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 10-11-16**

Date Published: November 12, 2010  
For Work Week Commencing: November 15, 2010  
Commission Meeting: November 16, 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 November 8, 2010.

2. IBEW Local 206 D2010.5.55 (Jim/Gary)

IBEW Local 206 filed a Notice of Withdrawal from the CenturyLink/Qwest merger proceeding, Docket No. D2010.5.55, on October 29, 2010. They state that "IBEW Local 206 hereby withdraws their petition to intervene granted in the above matter and ask that they be removed from service list in the above-referenced docket." Probable Motion: Move to approve the withdrawal of IBEW Local 206 from Docket No. D2010.5.55.

3. Central Montana Communications N2010.11.104 (Scott)

On November 3, 2010, Central Montana Communications (CMC) requested changes to its tariffs. CMC is requesting in its Section 7 Service Bundles to allow each subscriber to select up to five features from a list of Custom and CLASS service options. Also, Section 29 Custom Local Area Signaling Service to discontinue offering Home Intercom and grandfather their existing customers. Probable Motion: Approve CMC request to change its Tariff in Docket N2010.11.104.

4. MDU Resources Group, Inc D2010.11.103 (Eric)

On November 1, 2010, MDU Resources Group, Inc. applied for authority to issue over a two-year period \$150,000,000 of short-term financing in the form of unsecured promissory notes and/or commercial paper. The proceeds of these issuances will be used for funding the Company's capital requirements, for the refunding of its outstanding obligations, for corporate development purposes, and for other general corporate purposes. Probable Motion: Grant MDU Resources Group, Inc.'s application to issue up to \$150,000,000 of short-term financing.

5. Butte Urban Safari Tours (BUST) N2486 (Nickie)

Mark A. Reavis & Nicole A. von Gaza dba Butte Urban Safari Tours (BUST), Butte, Montana request permission to suspend PSC No. 9473 for a six month period, November 22, 2010 to May 22, 2011. Probable Motion: Approve the suspension as requested.

Class B – Passengers, in tour operations, in the Uptown Butte area (inclusive of the Butte & Walkerville Segments of the Butte & Anaconda National Historic Landmark District bordered by I-90/15 and just south to Greenwood Avenue.)

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

1. D2010.5.55 – Qwest/CenturyLink Merger – Act on the Motion for Ruling on Hearing Procedures and discuss other docket related matters.(11/16/10)
2. D2010.9.90 – Energy West Montana – Application to Establish Increased Service Rates – Discuss and act on protective order. (11/16/10)
3. D2008.8.95 - NWE – Mill Creek Generating Station – Consider NWE’s request for interim relief. (11/16/10)
4. T-10.27.PCN – Shorty’s Shuttle LLC - Discuss and act on Shorty’s Shuttle LLC certificate of public convenience and necessity. (11/16/10)
5. Out of state staff travel – Approval of staff out of state travel for Al Brogan to attend NARUC Winter Committee Meeting in Washington, D.C. on February 13-17, 2011. (11/16/10)

**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. Montana Dakota Utility N2010.11.105 (Scott)

On November 4, 2010, Montana Dakota Utility (MDU) filed an application seeking authority to accumulate the under and over collections of MPSC and MCC taxes starting on October 1, 2010. Due to a lack of materiality MDU has chosen to defer implementing tariffs reflecting these tax increases at this time. MDU proposes to accrue both under and over collections for inclusion in its current general rate filing Docket D2010.8.82. The under and over collections will be carried on MDU's books as regulatory liabilities and assets until returned to or recovered from customers.

**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 D2010.7.77 (AI)

On November 9, 2010, NorthWestern Energy (NWE) filed Motion for Protective Order to govern access to certain information that has been requested by data requests in this docket. Specifically, NWE seeks protection of 2008 and/or 2013 local area study database for NWE's transmission system needs. NWE argues that the information is otherwise legally protectable as Critical Energy Infrastructure Information.

**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.

**New Filings Received in Past Week**

N2010.11.105 - Montana-Dakota Utilities Co. - Request that the PSC authorize the accumulation of under and over collections of PSC and MCC taxes starting on October 1, 2010

N2010.11.106 - Energy West Montana - Proposed Changes to Natural Gas Rules and Regulations Tariffs