

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 10-11-30**

Date Published: November 24, 2010
For Work Week Commencing: November 29, 2010
Commission Meeting: November 30, 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 22, 2010

2. Montana-Dakota Utilities N2010.11.105 (Scott)

On November 4, 2010, Montana-Dakota Utilities (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 next general rate filing. MDU currently has an electric rate case in 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. Probable Motion: Grant MDU's request to accrue under and over collections of the MPSC and MCC tax increases until the next general rate case.

3. Energy West Montana N2010.11.106 (Phil)

On November 10, 2010 Energy West Montana (EWM) filed tariff changes clarifying the proper definition of "customer" and deleted item 1.1D under Application for Service to eliminate a contradictory statement concerning the definition of "customer". Probable Motion: Approve EWM's request to revise its tariff in Docket No. N2010.11.106.

4. ConocoPhillips T-10.34.RRV (Eric D)

On October 22, 2010 a request for an overhead clearance variance by ConocoPhillips was noticed to the public. This request is necessary for the construction of a new platform at the Missoula, Montana Products Rail Loading Terminal. ConocoPhillips has agreed to maintain signage indicating the restricted clearance. Probable Motion: Approve the variance as requested.

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

1. D2008.10.123 – HLH, LLC – Application to Implement Increased Rates for Service in its Big Sky, MT Service Area– Discuss and act on Motion for Reconsideration. (11/30/10)
2. Discuss and act on proposed motor carrier legislation. (11/30/10)

Other Meetings

11/30/10 12:00 PM – 1:30 PM – NRRI teleseminar – “Long-Term Contracting for Natural Gas: Is It Dèjà Vu All Over Again?” (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.

1. Treeline Springs, LLC D2010.9.98 (Sarah)

On November 23, 2010, Treeline Springs, LLC (Treeline) filed a Motion for Protective Order to protect from disclosure certain information which has been requested by data requests in this docket. Specifically, Treeline seeks protection of tax returns and tax return information for both Treeline and its

parent corporation, Moonlight Basin Ranch, LP. Treeline argues that this information is protected as it is deemed confidential under both federal and state law.

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 November 17, 2010, the Commission granted Mountain Water Company (MWC)'s motion for protective order pending the outcome in District Court case CDV-2010-945. The Commission granted protection to MWC and Park Water (Park)'s income tax return information. The Commission granted protection for MWC employee compensation. 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.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2010.11.108 – Qwest Corporation and Broadview Networks, Inc. – Application for approval of wireline interconnection agreement