

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 10-12-14**

Date Published: December 9, 2010
For Work Week Commencing: December 13, 2010
Commission Meeting: December 14, 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 29, 2010

2. NorthWestern Corporation (NOR) D2010.11.110 (Eric)

On November 29, 2010, NOR filed an application seeking authority to issue over a two-year period through and including December 31, 2012, some or all of the following kinds of securities not to exceed in the aggregate \$850 million. The specific types of issuances are: (1) Equity securities of Applicant not to exceed \$250 million, including without limitation, common stock, preferred stock, convertible or unconvertible preferred securities and hybrid securities issuable directly or indirectly by Applicant; (2) Secured debt securities of Applicant, not to exceed \$250,000,000, including, without limitation: (i) One or more series of First Mortgage Bonds to be issued under Applicant's Montana mortgage; (ii) One or more series of First Mortgage Bonds to be issued under Applicant's South Dakota mortgage; (iii) Other secured debt securities; (3) Unsecured debt securities of Applicant, not to exceed \$350 million, including, without limitation, subordinated or unsubordinated unsecured debentures, debt securities, notes, commercial paper or other evidences of unsecured indebtedness. The Applicant will use the proceeds to support state-regulated public utility capital expenditures and acquisitions of state-regulated public utility assets, the refunding or repayment of its outstanding obligations and other general corporate purposes. A default order has been drafted. Probable Motion: Approve NOR's application to issue up to \$850 million in securities over a two-year period ending December 31, 2012.

3. POWEREX CORP. N2005.8.117 (JOEL)

On November 24, 2010, POWEREX requested the Commission cancel its gas supplier license. POWEREX stated it has no customers and does not intend to solicit any customers. Probable Motion: Approve POWEREX's application to cancel its gas supplier license.

4. Dumpy Drawers T-10.32.PCN (Eric D)

On September 22, 2010, NPK Turf Services, Inc. dba Dumpy Drawers, Bozeman, Montana, filed an application for a certificate of public convenience and necessity. The application was noticed to the public and protests were filed. Based on the protestants' concerns, the applicant agreed to limit the

authority it requested in its application for a certificate of public convenience and necessity. Protestants subsequently withdrew their protests. Probable Motion: Approve the applicant's request for a certificate of public convenience and necessity with the authority granted by the language shown below.

Class D – Garbage within the city of Bozeman, Montana, and a fifty (50) mile radius thereof. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. LIMITATIONS: 1) Transportation is limited to the following items: television sets, couches, beds, mattresses, refrigerators, freezers, microwaves, washers, dryers, stoves, heaters, air conditioners, lawn mowers, snow blowers, bicycles, motorcycles, entertainment centers, shelves, desks, filing cabinets, dressers, tables, chairs, boats, kayaks, water troughs and feed troughs. 2) Transportation is limited to Gallatin and Madison Counties.

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

1. D2010.5.55 – Qwest Communications International, Inc. and CenturyLink, Inc. – Joint Application for Approval of Indirect Transfer of Control of Qwest Corporation, Qwest Communications Company, LLC and Qwest LD Corp. – Review and vote on draft final order. (12/14/10)
2. D2010.8.82 – Montana-Dakota Utilities Co. (MDU) – Application for Authority to Establish Increased Rates for Electric Service – Consider and rule on MDU's request for a protective order governing confidential financial materials. (12/14/10)
3. Agency strike plan – Required by Department of Administration to be implemented by December 30, 2010 – Discuss strike plan options and incorporating final version in the agency Blue Book. (12/14/10)
4. Operations manual (Blue Book (BB)) revisions – Consider draft revisions to certain parts of the BB. (12/14/10)

Other Meetings

12/15/10 12:00-1:30 p.m. – NRRI Teleseminar – “Demand Response, Retail Aggregators, FERC and the States: Conflict or Cooperation?” (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.

Information Items All items identified below are for information only.

1. Qwest Corporation Multi-State and Individual Case Basis Agreements

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 agreements at the Commission's offices, 1701 Prospect Avenue, Helena, MT 59601, 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 agreements, 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. D2008.1.6, Order No. 6889n, Joint Stipulation).

1.) Qwest Corporation/HRB Tax Group, Inc. – Qwest Corporation (Qwest) and the HRB Tax Group, Inc. (HRB) have signed an ICB Agreement for Qwest to provide certain telecommunications services to HRB.

2.) Qwest Corporation/CC Services, Inc. – Qwest Corporation (Qwest) and CC Services, Inc. have signed a Multi-State Agreement (MSA) Agreement for Qwest to provide certain telecommunications services to CC Services, Inc.

New Filings Received in Past Week

D2010.12.112 – Complaint of Charles H. Scott, Jr. vs. NorthWestern Energy
N2010.12.113 – PSC Initiated – Roundtable Regarding Electric Efficiency and Conservation Policy Options