

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 11-03-15**

Date Published: March 10, 2011
For Work Week Commencing: March 14, 2011
Commission Meeting: March 15, 2011, 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 February 21, 2011

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

1. D2010.12.118 – CenturyLink & Level 3 Communications – Interconnection Agreement – Act on the Interconnection Agreement. (3/15/11)
2. D2010.10.99 – iSmart Mobile, LLC – Application for Designation as an Eligible Telecommunications Carrier – Establish a deadline for the applicant to amend the application and submit testimony. (3/15/11)
3. FCC 11-13 NPRM – FCC – Filings comments in the FCC NPRM regarding USF and ICC reform. (3/15/11)
4. D2011.1.7 – NWE – Distribution Infrastructure Project – Consider approval of NWE’s requested Accounting Order. (3/15/11)
5. D2011.1.8 – Mountain Water Company – Consolidated Petition by Mountain Water for Declaratory Rulings and Application for Approval of Sale – Discuss and act on Clark Fork Coalition’s Petition to Intervene. (3/15/11)
6. Out of state staff travel – Obtain approval of the following travel requests: (1) Gary Duncan and Dagan Lynch, “The Basics” course, New Mexico State Center for Public Utilities, May 8-13, 2011, Albuquerque NM; and (2) Brian Dekiep, meeting of Committee on Regional Electric Power Cooperation (CREPC) & State Provincial Steering Committee (SPSC), April 11-13, 2011, Seattle WA. (3/15/11)
7. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (3/15/11)

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.

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. Avista Corporation N2011.3.19 (Sarah)

On March 3, 2011, Avista Corporation (Avista) filed a Motion for Protective Order to protect from disclosure certain information contained in its 2010 Annual Electric Report. Specifically, Avista seeks protection of Schedule 16 which contains the names and compensation amounts for Avista's top ten highest paid employees in Montana. Avista argues that the information is protected from disclosure due to individual privacy rights.

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. Aquanet, Inc. D2009.12.156 (Justin)

On February 22, 2011, the Commission granted Aquanet, Inc.'s motion for protective order to protect its federal and state income tax returns and tax return information

2. Energy West Montana D2010.9.90 (Justin)

On March 7, 2011, the Commission granted Energy West Montana's motion for protective order to protect its federal and state income tax returns and tax return information

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 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 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. D2008.1.3, Order No. 6889n, Joint Stipulation).

1.) Qwest Corporation/Progressive Casualty Insurance Company. - Qwest Corporation (Qwest) and Progressive Casualty Insurance Company have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Progressive Casualty Insurance Company.

New Filings Received in Past Week

N2011.3.18 - PSC Initiated - Annual Electric Reliability Report

N2011.3.19 - Avista Corp. - Motion for Protective Order for its 2010 Annual Electric Report

D2011.3.20 - Nexus Communications Inc - Petition Designation as an Eligible Telecommunications Carrier in the Qwest Exchanges of the State of Montana for the Limited Purpose of Providing Wireless Lifeline and Link up Service to Qualified Households