

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 11- 07-07**

Date Published: June 30, 2011  
For Work Week Commencing: July 4, 2011  
Commission Meeting: July 7, 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 at <http://psc.mt.gov> (go to "Agendas & Meetings" then "Audio/Video Archives"). 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 June 13, 2011

2. CenturyLink N2011.6.51 (Mike)

On June 16, 2011, CenturyLink filed Advice No. 11- 07. In this filing CenturyTel is requesting to introduce a competitive response program available to business customers. Probable Motion: Approve CenturyLink Advice No. 11- 07 in docket N2011.6.51.

3. Larson Disposal & Transport LLC T-11.13.ST (Eric D.)

Larson Disposal and Transport LLC, Seeley Lake, Montana filed an application to transfer PSC No. 1455, Sub A & B only, to Allied Waste Services of North America LLC, Missoula, Montana. That transfer was noticed to the public on June 6, 2011 and no protests to the transfer were received. Probable Motion: Approve the transfer of PSC No. 1455, Sub A and Sub B, to Allied Waste Services of North America LLC.

Sub A Class D - Garbage and refuse serving Seeley Lake and a ten (10) mile radius in all directions. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Sub B Class D - Garbage and refuse between points and places within five (5) miles of State Highway 283 extending north from the Clearwater Junction (junction of Highway 83 and Montana 200) to the Missoula Lake County Line on the one hand, and to the nearest sanitary landfill dump, certified by the appropriate governmental agency, on the other hand. Limitations: No service is authorized herein from points within a three hundred (300) yard radius of the Clearwater Junction (junction of Highway 83 and Montana 200).

4. Flathead Area Custom Transportation, Inc. TN2503 (Eric D.)

Flathead Area Custom Transportation, Inc. dba Kalispell Taxi & Airport Shuttle Service, Kalispell, Montana requests permission to lease PSC No. 9364 to Jeanne M. Herron dba Drive4U, Whitefish, Montana for one year,

July 7, 2011 to July 7, 2012. Probable Motion: Approve the lease of PSC No. 9364 as applied for.

Sub B Class B - Passengers, baggage and express between all points and places in Lincoln and Sanders Counties. Limitations: Transportation of railway crews is prohibited. Transportation by limousine is prohibited. 2) Transportation by limousine is prohibited. 3) Transportation of passengers, baggage and express between points and places in Libby, Montana and a thirty (30) mile radius thereof is prohibited. 4) Transportation of passengers, baggage and express between points and places in Eureka, Montana and a thirty (30) mile radius thereof is prohibited.

Sub C Class B - Passengers, baggage and express between all points and places in Eureka, Montana and a thirty (30) mile radius thereof. Limitations: 1) Transportation of railway crews is prohibited. 2) Transportation by limousine is prohibited.

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

1. Placeholder - D2011.5.41 – NWE – Application for Certification of its Spion Kop Wind Project – Consider the Motions for Protective Orders from Sagebrush, Envenergy and Compass Wind et al. as well as Lee Newspapers Motion for Leave to Participate. (7/7/11)
2. D2011.6.54 – NWE – Application for Approval of 2011 Avoided Cost Compliance Filing – Schedule QFLT-1 – Act on NWE’s Motion for 30 day extension of time to make compliance filing. (7/7/11)
3. Kenneth Lindeman – Complaint filed against landlord, Darrell Swanson (Swanson Properties) alleging, among other things, that Swanson acts constitute performing as a public utility – Consider whether the filing should be treated as a formal complaint. (7/7/11)
4. Governor’s Award – Make an agency recommendation for the Governor’s Award for Excellence in Performance. (7/7/11)

**Other Meetings**

**7/7/11 Immediately upon business meeting adjournment – PSC operations manual (Blue Book) – Meeting of commission subcommittee on Blue Book Review (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.

1. New Cingular Wireless (AT&T) N2011.6.55 (Gary)

On May 19, 2011 AT&T filed a Petition for Waiver of the Months to Exhaust/Utilization Threshold requirements as set forth in the Federal Communications Commission's Number Resource Optimization Orders, FCC 00-429 and FCC 01-362 in CC Docket No. 99-200. A waiver of the FCC's requirements would allow Neustar, the national Pooling Administrator, to provide seven new thousand blocks of numbers to AT&T in the Billings, MT Rate Center in order to satisfy an increase in projected customer growth. The FCC rules do allow for a waiver of rules when there is such a specific request. This waiver process ("safety valve process") is addressed in FCC 01-362, paragraphs 57-66, which delegates waiver authority to state commissions.

2. Montana-Dakota Utilities Co. Docket D2011.6.52 (Kate)

On June 22, 2011, MDU filed a revised electric line extension tariff to bring the tariff into compliance with a law enacted by the 2011 Legislature (HB 291). Under MDU's revised tariff, if customers pay for an electric line extension to their residence and subsequent users connect to the extension, MDU will provide a proportionate refund to the initial customer for up to 10 years from the original customer's initial service date. The previous MDU tariff allowed for refunds for up to 5 years after the customer's initial service date.

**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. Copies of these requests may be viewed on the Commission's web site at <http://psc.mt.gov>

**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 viewed on the Commission's web site at <http://psc.mt.gov>

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

**New Filings Received in Past Week**

D2011.6.54 - NorthWestern Energy - Application for Approval of 2011 Avoided Cost Compliance Filing - Schedule QFLT-1  
N2011.6.55 - AT&T - AT&T Number Resource State Waiver Request