

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 11-08-08**

Date Published: August 4, 2011
For Work Week Commencing: August 8, 2011
Commission Meeting: August 8, 2011, 1:30 p.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 web site at <http://psc.mt.gov> (go to "Agendas & Meetings" then "Audio/Video Archives"). The audio feeds of meetings are also archived at the same web site 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.*

1:15 p.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

1:30 p.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 August 1, 2011

2. Northwestern Energy N2008.12.138 (Leroy)

On December 15, 2008, NorthWestern Energy (NWE) submitted its Natural Gas Biennial Procurement Plan to the Montana Public Service Commission (PSC). On October 29, 2010, NWE and the Montana Consumer Counsel filed a Stipulation and Settlement Agreement. In part the parties agreed that NWE's Tracker Applications in Docket Nos. D2009.5.63 and D2010.5.49 should be approved as filed with the Commission and updated to reflect actual data for all twelve months in both dockets. Since the years covered in this biennial plan have passed and given that the Commission has provided comments on the next plan in Docket No. N2010.12.111, there is nothing further to come before the Commission in Docket No. N2008.12.138. Staff recommends closing Docket No. N2008.12.138. Probable Motion: Move to close Docket No. N2008.12.138.

2. Amazing Taxi T-11.18.RI (Eric D.)

On July 12, 2011, a rate increase application was filed by Carrie Anne Pintar dba Amazing Taxi, Livingston, Montana, PSC No. 9466. The rate increase was noticed to the public on July 13, 2011, with an effective date of August 26, 2011. Protests have been filed, and a public hearing has been requested. The effective date of the rate increase must be suspended pending the public hearing. Probable Motion: Suspend the proposed rate increase as noticed in T-11.18.RI.

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

1. D2011.3.20 – Nexus Communications, Inc. – Petition for Designation as an Eligible Telecommunications Carrier – Discuss and act on Motion to Withdraw Petition. (8/8/11)
2. N2011.3.21 – PSC Initiated – FCC NPRM on USF and ICC Reform – ABC Plan – Decide whether to hold Roundtable #3 to discuss the American

Broadband Connectivity (ABC) Plan and decide whether or not to file reply comments which would be due August 31, 2011. (8/8/11)

3. D2011.1.8 – Mountain Water Company – Petition for a Declaratory Ruling Disclaiming Commission Jurisdiction over the Sale and Transfer of Stock in Park Water Company and Application for Approval of the Sale and Transfer of Stock in Park Water Company – Identify additional issues, if any. (8/8/11)
4. FERC Order 1000 on Cost Allocation and Regional Transmission Planning – 1) Summary of Order 1000 and 2) Consider holding a roundtable discussion with interested parties. (8/8/11)
5. FERC RM11-26 – FERC Notice of Inquiry on Transmission Rate Incentives – Consider joining OMS comments to FERC. (8/8/11)
6. Determine whether the Commission wants to open a declaratory ruling docket to obtain public comment and decide whether 501c corporations providing transportation of persons that are not for hire should be declared to be not regulated motor carrier service. (8/8/11)

Other Meetings

8/11/11 12:00 - 2:00 p.m. – NRRI teleseminar, “FERC’s Order 1000 Sets Regional Transmission Policy: Landmark, a Land Mine, or Both?” (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. Qwest Corporation D2000.11.200 (Mike)

Interconnection Agreement Amendment

Qwest Corporation has filed with the Commission an Amendment to the Wireless Interconnection Agreement between Qwest Corporation and OneEighty Communications, Inc. The Amendment pertains to Unbundled Loops Used to Provide xDSL Services. The amendment was voluntarily negotiated by the parties.

2. NorthWestern Energy N2011.7.65 (Kate)

On July 28, 2011, NorthWestern Energy (NWE) filed a revised electric line extension tariff to bring the tariff into compliance with a law enacted by the 2011 Legislature (HB 291) and to make other clarifying changes to the tariff. Under NWE's revised tariff, if a customer pays for an electric line extension to a residence and subsequent users connect to the extension, NWE will collect advances from the subsequent users in order to provide refunds to connected customers that result in all users sharing equally in the advance for the original line extension for up to 10 years from the original customer's initial service date. The previous NWE tariff allowed for refunds for up to 5 years after the customer's initial service date. NWE requests an April 21, 2011, effective date, which is the effective date of the new law.

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

N2011.7.65 – NorthWestern Energy – Electric Utility Line Extension Tariff Reflecting the Utility Line Extension Refund Period Changing from 5 Years to 10 Years for Residential Customers

D2011.7.66 – Havre Pipeline Company – Application to Decrease Rates and Charges to its Direct Rural Farmstead Customers

N2011.8.67 – PSC Initiated – Maximum Allowable Rates for Intrastate Operator Service Providers

D2011.8.68 – Hydrodynamics, Inc. – Petition to Set Terms and Conditions for a Power Purchase and Sale Agreement for the Flint Creek Hydroelectric, LLC Project Pursuant to 69-3-601 through 6-3-604, MCA