

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 11-08-23**

Date Published: August 18, 2011
For Work Week Commencing: August 22, 2011
Commission Meeting: August 23, 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 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.*

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 August 8, 2011

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. Probable Motion: Approve NWE's revised electric line extension tariff in Docket No. N2011.7.65.

3. Qwest Corporation D2008.6.64 (Mike)

Qwest Corporation/XO Communications Services, Inc.

Qwest has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest and XO Communications Services, Inc. in Docket No. D2008.6.64. The amendment pertains to terms and conditions relating to xDSL Capable Loops. The Amendment was noticed on the Commission Agenda on June 13, 2011, and no objections or requests for intervention have been received by the Commission. This amendment was voluntarily negotiated by the parties involved. Staff recommends approval of this amendment. Probable Motion: Move to approve the interconnection agreement amendment between Qwest and XO Communications in Docket No. D2008.6.64.

4. Willson LLC dba City Cab TN2507 (Eric D.)

Montana Tariff Bureau, as agent for Willson LLC dba City Cab, Billings, Montana, in an independent action in its Passenger Tariff No. 3, requests fuel surcharge of \$.75 per fare covering the passenger transportation conducted under PSC No. 7489. The fuel surcharge, if approved, would be in effect

August 24, 2011, to November 21, 2011. Probable Motion: Approve the \$.75 per fare fuel surcharge as requested.

SUB A Class B – Passengers and their baggage between all points and places within Yellowstone, Treasure, Stillwater, Carbon and Big Horn Counties. Limitations: (1) Transportation of Burlington Northern Railroad Co. work crews is prohibited. (2) Transportation is limited to the use of motor vehicles with a passenger rated capacity of seven (7) or less.

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

1. D2011.5.43 – Qwest Corporation and Broadvox-CLEC, LLC – Application for Approval of Adoption of the Wireline Interconnection Agreement between Neutral Tandem and Qwest Corporation – Discuss and act on the interconnection agreement. (8/23/11)
2. N2011.2.17 – Ronan Telephone Company – Application for Term Protective Order for Protection of Confidential Forbearance Contracts – Discuss and act on term protective order. (8/23/11)
3. D2011.5.41 – NorthWestern Energy – Application for Approval to Purchase and Operate the Spion Kop Wind Project, for Certification of the Spion Kop Wind Project as an Eligible Renewable Resource, and for Related Relief – Consider whether redacted materials filed by NorthWestern Energy warrant continued protection from public disclosure under the protective order issued. (8/23/11)
4. Out-of-state staff travel – Obtain approval of Joel Tierney’s and Eric Dahlgren’s travel for a required pipeline safety training class (Safety Evaluation of Control Room Management Programs), San Jose, CA, Oct. 24-28, 2011. (8/23/11)

Other Meetings

8/22/11 1:00 p.m. – N2011.3.21 – FCC USF-ICC Reform NPRM forum (Bollinger Room)

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. 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

N2011.8.69 – PSC Initiated – Annual Certification of Montana Eligible Telecommunications Carriers

N2011.8.70 – Montana-Dakota Utilities Co. – Biennial Filing of Electric Integrated Resource Plan