

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 11-09-13**

Date Published: September 8, 2011  
For Work Week Commencing: September 12, 2011  
Commission Meeting: September 13, 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 September 5, 2011

2. Citizens Telecommunications N2011.8.74 (Scott)

On August 30, 2011, Citizens Telecommunications Company of Montana filed Advice Letter No. MT-11-03. This is an administrative filing to correct the number of features from two to three in condition G., within the Frontier Business Local Unlimited 1 bundled service. The company is requesting this filing become effective on September 30, 2011. Probable Motion: Approve Citizens Telecommunications Company of Montana Advice Letter No. MT-11-03 in Docket No. N2011.8.74.

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

1. N2011.8.67 – PSC Initiated – Maximum Allowable Rates for Intrastate Operator Service Providers – Request approval of rate caps for the period of October 1, 2011 to September 30, 2012. (9/13/11)
2. N2011.6.48 – Avista Corp. – Avista Utilities Electric Tariff Schedule 70, Changes to Rules and Regulations – Discuss and act on Avista’s revised Tariff Schedule 70 filing. (9/13/11)
3. T-11.9.PCN – Daniel Aloysius Trench dba Queen City Transfer – Application for a certification of PC&N – Consider adoption of Commissioner Gallagher’s Proposed Decision denying the application. (9/13/11)
4. D2011.5.41 – NorthWestern Energy (NWE) – 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 and act upon NWE’s objections to Invenergy’s data requests. (9/13/11)
5. Stephen Forbes’ filing seeking initiation of a formal complaint process against NorthWestern Energy – Consider whether the Commission should treat the filing as a formal complaint and serve it on NWE. (9/13/11)

6. Ken Lindeman's filing seeking initiation of a formal complaint against landlord, Darrell Swanson – Consider whether the Commission should treat the filing as a formal complaint and serve it on Mr. Swanson. (9/13/11)

### **Other Meetings**

**9/13/11 Immediately upon adjournment of business meeting – Meeting of Commission subcommittee on PSC operations manual (Blue Book) review (Commission Conference Room – no web audio feed)**

**9/15/11 12:00 - 1:30 p.m. – NRRI teleseminar: “The Economics of Resource Adequacy Planning: Why Reserve Margins Aren’t Just About Keeping the Lights On” (Commission Conference Room – no web audio feed)**

**9/16/11 8:30 a.m. - 5:00 p.m. – Energy & Telecommunications Interim Committee meeting (State Capital Room 172 – no PSC 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. Copies of these requests may be viewed on the Commission's web site at <http://psc.mt.gov>.

1. NorthWestern Energy D2011.5.41 (Sarah/Jim)  
 On September 1, 2011, NorthWestern Energy (NWE) filed a Motion for Protective Order (Motion) in the above captioned docket. NWE's Motion seeks to protect from disclosure certain information requested by data request INV-027. Specifically, NWE seeks protection of the GENIVAR pricing information arguing that this information is confidential trade secret.

**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.

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/Stifel Nicholas – Qwest Corporation (Qwest) and Stifel Nicholas have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Stifel Nicholas.

2.) Qwest Corporation/Macy's Systems and Technology, Inc. – Qwest Corporation (Qwest) and Macy's Systems and Technology, Inc. have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Macy's Systems and Technology, Inc.

**New Filings Received in Past Week**

None