

**REVISED
MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 11-09-20**

Date Published: September 15, 2011
For Work Week Commencing: September 19, 2011
Commission Meeting: September 20, 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 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 (Aleisha)

Approval of the Commission Minutes for the week of September 12, 2011

2. NORTHWESTERN ENERGY (NWE) D97.11.219 (Eric)

On September 9, 2011, NWE filed its semi-annual true-up Advice Letter pursuant to Order No. 6035a. This filing is made by NWE in its role as servicer of the Natural Gas Transition Bonds. If the previous six-month period variance between the scheduled debt service and the actual amounts available to satisfy the scheduled debt service for such period exceeds 2 percent NWE is required to apply for adjustment to the Fixed Transition Amount (FTA) charges. The variance for the period was an over collection of 18.92 percent or \$730,428. A decrease in FTA charges is necessary based on future payment obligations and projected market load. The new FTA rates should ensure enough funds are collected to make the next principal and interest payment. Staff recommends that the changes in the FTA charges be approved effective October 1, 2011. Probable Motion: Approve NWE's requested rate changes for the semi-annual true-up of NWE's Natural Gas Transition Bonds.

3. Qwest Corporation D2000.11.200 (Mike)

Qwest Corporation/OneEighty Communications, Inc.

Qwest has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest and OneEighty Communications, Inc. in Docket No. D2000.11.200. The amendment adds terms and conditions relating to xDSL Capable Loops. The Amendment was noticed on the Commission Agenda on August 8, 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 OneEighty Communications in Docket No. D2000.11.200.

4. Evans Transfer & Storage, Inc. T-11.22.OTSC (Eric D.)

On August 31, 2011, an Order to Show Cause was issued to Evans Transfer & Storage, Inc., Maricopa, Arizona, PSC No. 1712, for failure to file a 2010 Annual Report. 69-12-407 MCA requires the filing of the Annual Report by

April 1 of each year. The Order to Show Cause was sent by certified mail and received by the motor carrier on September 7, 2011. Probable Motion: Cancel PSC No. 1712 for failure to file a 2010 Annual Report.

Class C - Property within the City of Butte, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said city.

Limitations: The transportation of property between Fuller Station and Comet and Grey Eagle Mine is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB A Class B - Household goods (as defined by Commission) from Butte and points within a radius of fifty (50) miles in any direction from said city to all points and places in the State of Montana and from all points and places in the State of Montana to Butte and points within a radius of fifty (50) miles of said city.

SUB B Class B - Household goods (as defined by Commission) for hire over and on the public highways of the State of Montana, from all points and places within the State of Montana west of a line drawn from the U.S.-Canadian boundary to the Montana-Wyoming boundary along the east boundary lines of Phillips, Petroleum, Musselshell, Yellowstone and Big Horn Counties to all points in the State of Montana and from all points and places in the State of Montana to points and places in the State of Montana west of a line drawn from the U.S.-Canadian boundary to the Montana-Wyoming boundary along the east boundary lines of Phillips, Petroleum, Musselshell, Yellowstone and Big Horn Counties. Limitations: Transportation of household goods (as defined by Commission) within Butte, Montana, and a fifty (50) mile radius thereof is prohibited.

SUB C Class C - Property within the City of Bozeman, Montana, and to or from points tributary thereto, but within a distance not exceeding twenty-five (25) miles in any direction from said city. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

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

1. 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. (9/20/11)

2. D2011.7.56 – Qwest – Application for Approval to Change Accounting Methodology – Discuss/act on Qwest’s request to change accounting methodology used to report accounting issues to the Montana Public Service Commission. (9/20/11)
3. D2011.2.13 – Five Valleys Gas Company – Application for Approval of Monthly Propane Gas Cost True-Up for the Period January 1, 2009, through December 31, 2011 – Discuss/act on default order. (9/20/11)
4. N2011.8.69 – PSC Initiated Annual Certification of Montana Eligible Telecommunications Carriers – Discuss and approve sending letters to the FCC and USAC designating Montana Eligible Telecommunications Carriers. (9/20/11)
5. D2008.4.35 – PSC Initiated – Investigation of NorthWestern Energy’s Contracting Procedures Related to New Qualifying Facilities – Discuss and act on NorthWestern Energy’s request to close docket. (9/20/11)
6. 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 – Discuss and act on NWE’s Motion for Protective Order. (9/20/11)
7. Steve Forbes’ filing seeking to initiate a formal complaint against NorthWestern Energy – Consider and determine whether Mr. Forbes’ filing is within the Commission’s jurisdiction and, if yes, to order service of the filing on NWE. (9/20/11)
8. D2011.9.79, D2011.9.80 – MCC and PSC tax orders – Approve the MCC and PSC tax orders to reflect the new rates. (9/20/11)

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. 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

N2011.9.75 – Montana-Dakota Utilities Co. – Revised Optional Residential Thermal Energy Storage Rate 13

D2011.9.76 – Energy West Montana – Application for Approval of its Reconciliation of Collections and Disbursements of its Universal Systems Benefits Account and Increasing the Universal Systems Benefits Charge

D2011.9.77 – Montana-Dakota Utilities Co. – Application for Authority to Implement a Gas Cost Tracking Adjustment Change Effective October 1, 2011, and Calculation of Unreflected Gas Cost Adjustment for the Period October 1, 2011, through September 30, 2012

D2011.9.78 – Energy West Montana – Application to Make Interim Adjustments Final and to Reconcile the Gas Cost Tracking Mechanism by Decreasing Rates by \$273,574

D2011.9.79 – PSC Initiated – Montana Consumer Counsel Funding Fees

D2011.9.80 – PSC Initiated – Public Service Commission Funding Fees