

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 12-03-15**

Date Published: March 8, 2012
For Work Week Commencing: March 12, 2012
Commission Meeting: March 15, 2012, 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 (Aleisha)

Approval of the Commission Minutes for the week of March 5, 2012

2. NORTHWESTERN ENERGY D97.11.219 (Eric)

On March 6, 2012, NWE filed its final 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. NWE is requesting that the Commission approve the expiration of the Fixed Transition Assets (FTA) charges on March 15, 2012. The Natural Gas Transition Bonds will have been paid in full at this time, in accordance with the scheduled maturity date. Because the FTA charges have been collected through Schedule Nos. CTC-RA-1 and CTC-GP-1 and the need for these competitive transition charges no longer exists, NWE requests that these Natural Gas Tariff Schedules be expired.

Because of cycle billing and the timing of customer bill payments, NWE will continue to collect FTA charges from customers for several months after the rates have expired. After receipt of the final payment of the principal and interest on the bonds, US Bank, as trustee, will remit certain funds to NWE. NWE will then terminate the Trust and handle particular activities associated with the termination. When all actions have been completed, NWE will make a filing with the Commission to illustrate the final true-up of funds received from the trustee, FTA charges collected from customers after March 15th, and additional expenses incurred in order to determine the balance owed to customers. That filing will include a proposal to utilize the existing CTC-GP-Credit and CTC-RA-Credit tariff rate schedules to refund the balance to customers over a yet-to-be-determined time frame. Until such time as the filing described above is made and the Commission orders the refund to customers, NWE also requests that these credit rates be set to zero on March 15, 2012

Due to the expiration of the CTC-RA-1 and the CTC-GP-1, as well as setting the CTC-GP-Credit and CTC-RA-Credit rates to zero, the projected natural gas decrease for a typical residential customer using 100 therms per month will be \$2.12 per month or \$25.44 per year on the total bill. This results in an overall 2.38 percent decrease to typical residential customer bills.

Staff recommends that the expiration of the FTA charges be approved effective March 15, 2012. Probable Motion: Approve NWE's requested

expiration of the Natural Gas Tariff Schedules associated with FTA charges and the CTC-GP-Credit and CTC-RA-Credit rates are set to zero on March 15, 2012.

3. Mergenthaler Transfer & Storage Co. TN2527 (Nickie)

Mergenthaler Transfer & Storage Co., Helena, Montana requests permission to split PSC No. 1464, Sub H to a new PSC number for leasing purposes. Probable Motion: Approve the issuance of PSC No. 1464 Sub H under a new PSC number for leasing purposes.

SUB H Class D - Ashes, waste, trash, rubbish and garbage in the City of Helena, Montana, and to and from points within a radius of 35 miles of Helena, Montana. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Transportation between points served by rail carrier or by a Class "A" motor carrier for distances beyond the radius of ten (10) miles from the City of Helena, is prohibited.

4. Mergenthaler Transfer & Storage Co. TN2528 (Nickie)

Mergenthaler Transfer & Storage Co., Helena, Montana requests permission to lease PSC No. 9483 (previously issued as PSC No. 1464 Sub H) to City of Helena, Helena, Montana for a twelve month period, March 15, 2012 to March 15, 2013. Probable Motion: Approve the lease of PSC No. 9483 as requested.

Class D - Ashes, waste, trash, rubbish and garbage in the City of Helena, Montana, and to and from points within a radius of 35 miles of Helena, Montana. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Transportation between points served by rail carrier or by a Class "A" motor carrier for distances beyond the radius of ten (10) miles from the City of Helena, is prohibited.

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

1. D2011.12.105 – Denbury Green Pipeline – Montana, LLC – Notice of Acceptance of Title 69, Chapter 13 and Application for Recognition as a Common Carrier Pipeline – Discuss and act on Denbury Green Pipeline’s Notice of Acceptance of Title 69, Chapter 13 and Application for Recognition as a Common Carrier Pipeline. (3/15/12)

2. T-12.23PCN – Billings Yellow Cab, LLC - Albert L. Guay III d/b/a Sunset Limousine Service, petitioner – Discuss and act on Sunset Limo’s late petition for intervention as a protestant. (3/15/12)
3. Out of state staff travel – Obtain approval of Joel Tierney’s travel to the Western Region NAPSR meeting April 30 – May 4th, 2012, in Long Beach, CA. (3/15/12)

Other Meetings

3/15/12 – 12:00 p.m. – 1:30 p.m. – NRRI teleseminar: “Embracing the Future: Key Trends in Telecommunications for the 21st Century” (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.

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. iSmart Mobile, LLC D2010.10.99 (Justin)

On March 5, 2012, iSmart Mobile, LLC (iSmart) filed a Motion for Protective Order to protect from disclosure a roaming agreement between iSmart and AT&T Wireless containing the pricing and conditions of roaming services

provided by AT&T Wireless. The agreement describes how iSmart customers can receive incoming calls and complete outgoing calls to and from locations outside the scope of iSmart's physical wireless network.

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

D2012.3.20 - Energy West Incorporated - Application for Limited Waiver of Certain Ring-Fencing Requirements in Order 6960a and for Authorization to Engage in Financing Transactions

D2012.3.21 - Qwest Corporation - Complaint of Sterling Group Inc. vs. Qwest/CenturyLink Inc.