

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 12-04-10**

Date Published: April 5, 2012
For Work Week Commencing: April 9, 2012
Commission Meeting: April 10, 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 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 (Aleisha)

Approval of the Commission Minutes for the week of April 2, 2012

2. MONTANA-DAKOTA UTILITIES CO. N2012.3.29 (JOEL)

On March 26, 2012, Montana-Dakota Utilities Co. (MDU) requested the Commission approve Rate 53, which is the tariff reflecting the costs associated with moving poles and wires to accommodate structure moves. Probable Motion: Approve MDU's Rate 53.

3. PS Limo Service T-12.1.ST (Nickie)

On December 27, 2011, Rod Rick dba PS Limo Service, Havre, Montana, filed an application to transfer PSC No. 9433 to Signature Limousines, Inc., Havre, Montana. The transfer was noticed to the public on January 11, 2012, and no protests were received. Probable Motion: Approve the transfer of PSC No. 9433.

Class B – Passengers in limousine service between all points and places in Blaine, Chouteau, Hill, Liberty, Phillips and Toole Counties.
LIMITATION: Transportation of railroad crews is prohibited.

4. Dumpy Drawers T-12.3.ST (Nickie)

On January 30, 2012, NPK Turf Services, Inc. dba Dumpy Drawers, Bozeman, Montana, filed an application to transfer PSC No. 9475 to Dame Due, Inc. dba Dumpy Drawers, Bozeman, Montana. The transfer was noticed to the public on March 9, 2012, and no protests were received. Probable Motion: Approve the transfer of PSC No. 9475.

Class D – Garbage within the city of Bozeman, Montana and a fifty (50) mile radius thereof. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. LIMITATIONS: 1) Transportation is limited to the following items: television sets, couches, beds, mattresses, refrigerators, freezers, microwaves, washers, dryers, stoves, heaters, air conditioners, lawn mowers, snow blowers, bicycles, motorcycles, entertainment centers, shelves, desks, filing cabinets, dressers, tables, chairs, boats, kayaks, water troughs and feed troughs. 2) Transportation is limited to Gallatin and Madison Counties.

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

1. Proposed rule on motor carrier minimum insurance levels – Discuss/act on draft notice of proposed rulemaking. (4/10/12)
2. D2011.5.36 – NorthWestern Energy – Application for Approval of Unreflected Gas Cost Account Balance and Projected Gas Cost and Gas Transportation Adjustment Clause Balance – Discuss/act on final order. (4/10/12)
3. D2011.5.38 – NorthWestern Energy – Application for Approval of Electric Supply Deferred Cost Account Balance and Projected Electric Supply Costs – Discuss/act on final order. (4/10/12)
4. D2008.8.95 – NorthWestern Energy – Application for Approval to Construct and Operate the Dave Gates Generating Station to Supply Regulation Service for NorthWestern Energy's Montana Electric Operations and Montana Transmission Control Area – Discuss/act on request for additional time to comply with Order 6943e. (4/10/12)
5. MAR Notice 38-5-214 – Commission's Notice of Proposed Amendment to ARM 38.5.1902 changing long-term standard rate eligibility threshold for QFs from 10 MW to 2 MW and make other minor changes – Discuss/adopt the proposed rule. (4/10/12)

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>.

1. iSmart Mobile, LLC D2010.10.99 (Justin)

On March 27, 2012, the Commission granted iSmart Mobile, LLC’s (iSmart’s) motion for protective order. The Commission granted protection to the 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.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2012.3.25 – NorthWestern Energy – Application to Place the Battle Creek Natural Gas Production Resources in Rate Base and to Recover Associated Expenses

N2012.4.36 – PSC Initiated – Annual Certification of Montana Eligible Telecommunications Carriers

N2012.4.37 – CenturyLink – Forbearance Application Regarding Torrent Technologies

D2012.4.38 – Montana-Dakota Utilities Co. – Conservation Program Tracking Mechanism Rate 90

D2012.4.39 – MT Moonlight Basin Water & Sewer Service LLC – Consolidated Application for Approval of Transfer of Assets, or in the Alternative, Petition for Declaratory Ruling