

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 12-06-05**

Date Published: May 31, 2012

For Work Week Commencing: June 4, 2012

Commission Meeting: June 5, 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 May 28, 2012

2. Lincoln Telephone Company N2012.5.61 (Gary)

Lincoln Telephone has filed revised Lifeline tariffs with the PSC reflecting changes required by the February 6, 2012, FCC Lifeline/Linkup Order and reflecting Lincoln's withdrawal from the Montana Low Income Telephone Assistance Program approved by the PSC on May 31, 2012. Staff has reviewed these tariffs and recommends approval. Probable Motion: Move to approve the revised Lincoln Telephone Company Lifeline tariffs in Docket No. N2012.5.61.

3. Southern Montana Telephone Company N2012.5.54 (Gary)

Southern Montana Telephone Company has filed revised Lifeline tariffs with the PSC reflecting changes required by the February 6, 2012, FCC Lifeline/Linkup Order and reflecting Southern's withdrawal from the Montana Low Income Telephone Assistance Program approved by the PSC on May 31, 2012. Staff has reviewed these tariffs and recommends approval. Probable Motion: Move to approve the revised Southern Montana Telephone Company Lifeline tariffs in Docket No. N2012.5.54.

4. McKell Brothers Hauling T-12.6.ST (Nickie)

On March 9, 2012, Winchester McKell dba McKell Brothers Hauling, Billings, Montana, submitted a request to transfer PSC No. 983 to McKell Brothers Hauling, Inc., Billings, Montana. The transfer was noticed to the public on May 8, 2012, and no protests were received. Probable Motion: Approve the transfer of PSC No. 983 to McKell Brothers Hauling, Inc.

Class B - Household goods (as defined by Commission) from Billings and points within a radius of ten (10) miles in any direction from said city to all points in the State of Montana and from all points and places in the State of Montana to Billings and points within a radius of ten (10) miles in any direction from said city.

SUB B Class C - Property in the City of Billings, Montana, and to or from points immediately tributary thereto, but not to exceed a distance of ten (10) miles in any direction thereof.

5. Allied Waste Services of North America LLC                      TN2539                      (Nickie)

Allied Waste Services of North America LLC, Missoula, Montana, requests permission to add a dba to PSC No. 1581. If approved the name on the authorities held under PSC No. 1581 will read Allied Waste Services of North America LLC dba Republic Services of Montana. Probable Motion: Approve the addition of the dba to PSC No. 1581 – Allied Waste Services of North America LLC dba Republic Services of Montana.

6. Stacy Transfer and Storage LLC                                      TN2540                      (Nickie)

Stacy Transfer and Storage LLC, Great Falls, Montana, requests cancellation of PSC No. 346 effective immediately. Probable Motion: Cancel PSC No. 346 as requested.

Class B - Household goods (as defined by Commission) between all points in the State of Montana over any public highways.

SUB A Class C - Property, in the City of Butte, Montana, and to or from points immediately tributary thereto. Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

SUB B Class C - Property, in the City of Great Falls, Montana, and to or from points immediately tributary thereto, but not exceeding a distance of ten (10) miles in any direction from said city. Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

7. Superior Moving and Storage, LLC                                      TN2541                      (Nickie)

Superior Moving and Storage LLC, Great Falls, Montana, requests cancellation of PSC No. 2848 effective immediately. Probable Motion: Cancel PSC No. 2848 as requested.

Class B - Household goods (as defined by Commission) from Great Falls, and points and places within a radius of 10 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 Great Falls and points within a radius of 10 miles in any direction from said city.

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

1. Motor carrier rule change regarding minimum insurance requirements – Discuss/act on Notice of Amendment to adopt the proposed amendments to ARM 38.3.706. (6/5/12)
2. D2008.8.95 – NorthWestern Energy (NWE) – Compliance phase of Application for Approval to Construct & Operate the Dave Gates Generating Station (formerly Mill Creek Generating Station) to Supply Regulation Service for NWE's Montana Electric Operations and Montana Transmission Control Area – Discuss issuing a Notice of Opportunity to Comment on NWE's plan for studying with-in hour load fluctuations that drive regulation capacity needs. (6/5/12)
3. NorthWestern Energy's QF contracts with Musselshell Wind Project LLC and Musselshell Wind Project Two LLC – Discuss options for determining whether these projects constitute a single project under the Commission's decision in Docket D2010.2.18. (6/5/12)
4. Placeholder – 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 – Discuss and act on any Energy West, Incorporated motions that may be filed prior to the June 5, 2012, business meeting. (6/5/12)
5. 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 – Discuss/provide direction/act on application. (6/5/12)

### **Other Meetings**

**6/5/12 – 12:30-2:00 p.m. – Regional Technical Forum information meeting (Bollinger Room)**

**6/6/12 – 10:00-11:00 a.m. – Blackfoot Telecommunications information meeting (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.

1. MOUNTAIN WATER COMPANY N2012.5.55 (Leroy)

On May 15, 2012, Mountain Water Company filed its compliance tariff for transitioning Missoula City Parks from Flat Rate to Metered Service and Modification to Schedule M. The flat rate presently in effect for the City Parks will remain for one year then transition to metered service. Then the City Parks will be charged at a metered rate. This will allow the City Parks with a means to easily reflect the cost of metered service in its budget process. The additions to Schedule M are needed to coordinate the transition from flat rate to metered rates by avoiding any conflict with the provisions of that tariff and the proposed Schedule CP.

**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 website at <http://psc.mt.gov>.

1. CenturyLink D2012.4.42 (Dennis)

On May 29, 2012, CenturyLink filed a Motion for a Protective Order for the protection of information contained in Tariff Transmittal No. 12-01A, to modify CenturyLink access tariffs, in satisfaction of FCC-11-161 and pursuant to 47 C.F.R. §51.907(b). Specifically CenturyLink requests a standard protective order to protect claimed trade secrets in the referenced tariff filings from being publicly disclosed.

**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 website at <http://psc.mt.gov>.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

D2012.5.48 – NorthWestern Energy – Application for Approval of 1) Unreflected Gas Cost Account Balance for the 12-Month Period Ending June 30, 2012 and Projected Gas Cost Tracking for the 12-Month Period July 1, 2012 through June 30, 2013, and 2) Gas Transportation Adjustment Clause Balance as of April 30, 2012

N2012.5.56 – PSC Initiated – Inquiry by the Montana Public Service Commission, Graceful Systems, LLC and Bench Mark Heuristics, LLC into Best Practices for Electricity Resource Planning

D2012.5.57 – Phillips 66 Pipeline LLC – Application for Rate Increase – Montana P.S.C. No. 3.2, Local Tariff Applying on Petroleum Products from Alkali Creek Junction, Montana, to Burlington Northern Railroad, Laurel, Montana

D2012.5.58 – Phillips 66 Pipeline LLC – Application for Rate Increase – Montana P.S.C. No. 4.2, Local Tariff Applying on Crude Petroleum from Cut Bank Station, Glacier County, Montana, to Billings and Laurel, Yellowstone County, Montana

D2012.5.59 – NorthWestern Energy – Request for Approval of 2012 Bonneville Power Administration Residential Exchange Credit Filing

N2012.5.60 – Lincoln Telephone Company – Notice of Withdrawal from the Montana Low-Income Telephone Assistance Program

N2012.5.61 – Lincoln Telephone Company – Tariff Revision to Implement Withdrawal from the Montana Low-Income Telephone Assistance Program