

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 12-08-23**

Date Published: August 16, 2012
For Work Week Commencing: August 20, 2012
Commission Meeting: August 23, 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 (Judy)

Approval of the Commission Minutes for the week of August 13, 2012

2. Eastern Montana Taxi and Transport LLC T-12.9.PCN (Nickie)

Sherry Rae Vogel dba Eastern Montana Taxi and Transport, Baker, Montana, submitted an application for a certificate of Public Convenience and Necessity on May 29, 2012. That application was noticed to the public on June 18, 2012. On June 27, 2012, the applicant requested that the application be re-noticed as she had formed an LLC. The application was re-noticed on July 19, 2012, and no protests were received. Probable Motion: Approve the grant of authority to Eastern Montana Taxi and Transport LLC.

Class B – Passengers in rate regulated service between all points and places in Baker, Montana and a 250 mile radius thereof. LIMITATION: Transportation must originate or terminate in Fallon County, Montana.

3. Chinook Disposal Service, Inc. T-12-13.PCN (Nickie)

On May 31, 2012, Chinook Disposal Service, Inc., Chinook, Montana, submitted an application to amend the authority issued under PSC No. 1341 Sub B. That application was noticed on July 19, 2012, and the applicant submitted revised, limiting language on August 1, 2012. Deadline for protest was August 8, 2012, and no protests were received. Probable Motion: Approve the grant of expanded authority to Chinook Disposal Service, Inc.

PSC No. 1341 Sub B currently reads:

SUB B Class D - Ashes, waste, refuse, rubbish and garbage within the City of Chinook, Montana and to or from points immediately tributary thereto, but not exceeding a distance of ten (10) miles in any direction from said city. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Applied for:

SUB B Class D - Ashes, waste, refuse, rubbish and garbage within the City of Chinook, Montana and to or from points immediately tributary thereto, but not exceeding a distance of twenty (20) miles in any direction from said city. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. LIMITATIONS: Transportation in Hill County, Montana is prohibited and transportation in the town of Harlem, Montana and a one mile radius is prohibited.

Further limited to:

SUB B Class D - Ashes, waste, refuse, rubbish and garbage within the City of Chinook, Montana and to or from points immediately tributary thereto, but not exceeding a distance of twenty (20) miles in any direction from said city. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. LIMITATIONS: Transportation in Hill County, Montana is prohibited and transportation in the town of Harlem, Montana and a ten mile radius is prohibited.

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

1. **8/21/12 Immediately following Workshop** – 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 motions for reconsideration or other motions that may be filed prior to the work session. (8/21/12)

8/23/12 9:30 a.m.

2. D2012.5.49 – NorthWestern Energy (NorthWestern) – Application for Approval of 1) Deferred Cost Account Balances for Electricity Supply, CU4 Variable Costs/Credits, and DGGs Variable Costs/Credits; and 2) Projected Electricity Supply Cost Rate, CU4 Variable Rates, and DGGs Variable Rates – Discuss and act on NorthWestern’s Motion for Reconsideration of Procedural Order 7219b, or in the Alternative, Motion for More Time. (8/23/12)

3. D2012.4.39 –MT Moonlight Basin Water & Sewer LLC – Application for Approval of Transfer of Assets, or in the Alternative, Petition for Declaratory Ruling – Discuss/act on Draft Order. (8/23/12)

Other Meetings

8/23/12 – 1:30 p.m. – Ronan Telephone Company informational 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. MONTANA-DAKOTA UTILITIES CO. N2012.8.83 (Elizabeth)

On August 6, 2012, Montana-Dakota Utilities Co. (MDU) filed an application with the Commission for a new tariff sheet to change the thermal heating zone boundaries. This will change heating zone 18 because WBI has informed MDU that a new heating zone has been added to its system. This new zone will be designated Zone 191.

2. Qwest Corporation dba CenturyLink D2004.1.13 (Mike)
Qwest dba CenturyLink / Sprint Communications Company

CenturyLink has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink and Sprint Communications Company in Docket No. D2004.1.13. The amendment adds terms and conditions relating to ICC VoIP traffic. This amendment was voluntarily negotiated by the parties involved.

3. Qwest Corporation dba CenturyLink D2008.6.64 (Mike)
Qwest dba CenturyLink / XO Communications Services, LLC

CenturyLink has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink and XO Communications Services, LLC in Docket No. D2008.6.64. The amendment adds terms and conditions relating to ICC VoIP traffic. This amendment was voluntarily negotiated by the parties involved.

4. Qwest Corporation dba CenturyLink D2008.4.33 (Mike)
Qwest dba CenturyLink / Bandwidth.com CLEC, LLC

CenturyLink has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink and Bandwidth.com CLEC, LLC in Docket No. D2008.4.33. The amendment adds terms and conditions relating to ICC VoIP traffic. This amendment was voluntarily negotiated by the parties involved.

5. Qwest Corporation dba CenturyLink D2001.1.7 (Mike)
Qwest dba CenturyLink / McLeodUSA Telecommunications Services, Inc.
dba PAETEC Business Services dba Windstream Telecommunications

CenturyLink has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink and McLeodUSA Telecommunications Services, Inc. dba PAETEC Business Services dba Windstream Telecommunications in Docket No. D2001.1.7. The amendment is related to the termination of the Wholesale Service Order Charge Amendment to the Interconnection Agreement. This amendment was voluntarily negotiated by the parties involved.

6. Qwest Corporation dba CenturyLink D2006.3.32 (Mike)
Qwest dba CenturyLink / Granite Telecommunications, LLC

CenturyLink has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink and Granite Telecommunications, LLC in Docket No. D2006.3.32. This amendment was voluntarily negotiated by the parties involved.

7. CenturyLink QC N2012.8.86 (Scott)

On August 15, 2012, CenturyLink QC filed a petition to abandon its NextConnects Call Management Feature also known as Call Queuing. The

reason for this request for withdrawal is that CenturyLink is faced with technical limitations due to the recent replacement of Advanced Intelligence Network (AIN) platforms that were not equipped to provide the feature functionality that is required to continue offering NextConnects. CenturyLink has provided the information as required by Montana §69-3-810 and Montana Administrative Rule 38.5.2760,

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>.

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>.

1. Mid-Rivers Telephone Cooperative, Inc. N2012.4.36 (Gary, Brenda)

On July 31, 2012, the Commission granted Mid-Rivers Telephone Cooperative’s Motion for Protective Order. The Commission granted protection for information contained in the 2012 Annual Certification of Montana Eligible Telecommunications Carriers – FCC Annual Reporting Requirements, filed pursuant to FCC rules § 54.304 and § 510.917.

2. Nemont Telephone Cooperative, Inc. N2012.4.36 (Gary, Brenda)

On July 31, 2012, the Commission granted Nemont Telephone Cooperative’s Motion for Protective Order. The Commission granted protection for information contained in the 2012 Annual Certification of Montana Eligible Telecommunications Carriers – FCC Annual Reporting Requirements, filed pursuant to FCC rules § 54.304 and § 510.917.

3. Triangle Telephone Cooperative Association, Inc. N2012.4.36 (Gary, Brenda)

On July 31, 2012, the Commission granted Triangle Telephone Cooperative Association, Inc.’s Motion for Protective Order. The Commission granted protection for information contained in the 2012 Annual Certification of Montana Eligible Telecommunications Carriers – FCC Annual Reporting Requirements, filed pursuant to FCC rules § 54.304 and § 510.917.

4. Central Montana Communications, Inc. N20124.36 (Gary, Brenda)

On July 31, 2012, the Commission granted in part and denied in part Central Montana Communications, Inc.'s Motion for Protective Order. The Commission granted protection for some of the information contained in the 2012 Annual Certification of Montana Eligible Telecommunications Carriers – FCC Annual Reporting Requirements, filed pursuant to FCC rules § 54.304 and § 510.917. The Commission did not grant protection for information that is already in the public domain and information that can be calculated or derived from information that is already in the public domain.

Information Items All items identified below are for information only.

1. ENERGY CORPORATION OF AMERICA (JOEL)

On August 13, 2012, Energy Corporation of America notified the Commission that it abandoned the KWB Pipeline in Stillwater County, Montana. The line was a 4" natural gas transmission line stretching 22.1 miles from Dean, MT to Absarokee, MT.

2. Qwest Corporation dba CenturyLink QC 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 dba CenturyLink QC/Sterling Savings Bank – Qwest Corporation dba CenturyLink QC (Qwest) and Sterling Savings Bank signed an amendment to their Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Sterling Savings Bank.

2.) Qwest Corporation dba CenturyLink QC/Bozeman School District #7 – Qwest Corporation dba CenturyLink QC (Qwest) and Bozeman School District #7 signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Bozeman School District #7.

New Filings Received in Past Week

D2012.8.84 – Black Hills Power, Inc. – Application for Authority to Approve a Contract Rate with Butte Pipeline Co. for New Load at its Alzada Station in Carter County, Montana

D2012.8.85 – Black Hills Power, Inc. – Application for Authority to Approve a Contract Rate with Denbury Onshore, LLC for New Load at its Belle Creek Oil Field Operation in Carter and Powder River Counties, Montana

N2012.8.86 – Qwest Corporation dba CenturyLink QC – Petition for Authority to Abandon its NextConnects Call Management Feature