

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 12-09-25**

Date Published: September 20, 2012  
For Work Week Commencing: September 24, 2012  
Commission Meeting: September 25, 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 September 18, 2012

2. Pass-Through of Fees Levied on Regulated Companies for Funding the Montana Consumer Counsel and Public Service Commission D2012.9.97/D2012.9.98 (Kate)

Sections 69-1-224(4) and 69-1-403(4), MCA, require that the PSC issue orders each year to authorize regulated companies to fully recover in their rates the fees levied on them for the funding of the Montana Consumer Counsel and the PSC. The state Department of Revenue has notified the PSC that the MCC tax rate on regulated companies' gross operating revenues for the period of October 2012 through September 2013 will be .0007 and the PSC tax rate will be .0023. Draft orders have been prepared to authorize regulated companies to recover the fees in their rates. Probable Motion: Move to issue the orders as drafted.

3. Big Sky Gas, LLC. N2012.8.88 (Joel)

On August 22, 2012, the Commission received the application of Big Sky Gas, LLC. for a license to supply natural gas in Montana. Big Sky Gas intends to serve all customer classes. Staff has reviewed this application and recommends approval. Probable Motion: Approve the application of Big Sky Gas for a natural gas supplier license in the state of Montana.

4. Ursa Major, Inc. T-11.14.PCN (Nickie)

On May 26, 2011 Ursa Major, Inc. filed an application for a certificate of public convenience and necessity. The application was protested. The applicant waived the 180 day rule in August, 2011. On September 14, 2012 the applicant requested that the application be withdrawn and the docket closed. Probable Motion: Close the docket and process refunds to the applicant and three protestants.

Class C - Passengers between all points and places in Carbon, Gallatin, Madison, Park, Stillwater, Sweetgrass and Yellowstone Counties, Montana. Transportation is authorized for the accounts of The Wild Side, LLC and A Naturalist's World, LTD. or their successors in interest

5. Big Mountain Water Company                      D2010.1.9                      (Leroy)

On September 13, 2010, the Commission issued Order 7077h in D2010.1.9 granting Big Mountain Water Company (BMWC) the authority to implement rates as agreed in the Stipulation that was entered into between BMWC and the Montana Consumer Counsel (MCC). These rates were to be phased in with a total revenue requirement of \$196,832 beginning with the end of the contested case proceedings until October 1, 2012. At that time, the total revenue requirement would increase to \$226,695. BMWC is requesting a deferral of that increase until October 1, 2013. MCC does not oppose the request. Probable Motion: Move to approve the deferral of the rate increase until October 1, 2013

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

1. D2012.7.78 – Havre Pipeline – Application to Decrease Rates and Charges to its Direct Rural Farmstead Customers – Discuss and act on final order. (9/25/12)
2. N2011.12.96 – NWE – 2011 Electric Supply Procurement Plan – Discuss and act on issuing proposed comments to NWE regarding NWE’s 2011 Electric Supply Procurement Plan. (9/25/12)
3. D2010.2.14 – Complaint of Gruba, et al. vs. NWE – Discuss and act on NWE’s Motion to suspend proceedings, complainant’s request for Hearing. (9/25/12)
4. Placeholder - FERC Docket ER10-1138 – NorthWestern Corporation – Schedule 3/Dave Gates Generating Station case – Brief commission on the FERC Administrative Law Judge’s Initial Decision, which is due to be issued 9/24/12. (9/25/12)

**Other Meetings**

**9/26/12 – 10:00 a.m. – 11:30 a.m. – Montana-Dakota Utilities Co. – 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.

**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**

D2012.9.97 - Public Service Commission - Montana Consumer Counsel Funding Fees  
D2012.9.98 - Public Service Commission - Public Service Commission Funding Fees