

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 12-12-11**

Date Published: December 5, 2012
For Work Week Commencing: December 10, 2012
Commission Meeting: December 11, 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 December 3, 2012

2. Marty's Shuttle T-12.15.PCN (Nickie)

On August 22, 2012, Kathleen Brewer dba Marty's Shuttle, Darby, Montana, submitted an application for a Class B certificate of public convenience and necessity. The application was noticed to the public and a protest was received. The applicant requests that the application be withdrawn and the docket closed. Probable Motion: Close the docket at the applicant's request.

Class B – Passengers in rate regulated service between all points and places in Missoula and Ravalli County, Montana. LIMITATION: 1) Transportation movements must originate or terminate in Ravalli County. 2) Transportation in limousine service is prohibited.

3. Qwest Corporation dba CenturyLink D2010.9.96 (Mike)
CenturyLink and dishNET Wireline, LLC f/k/a Liberty-Bell Telecom

CenturyLink has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink and dishNET Wireline LLC f/k/a Liberty-Bell Telecom in Docket No. D2010.9.96. The amendment was properly noticed, and the Commission has not received any comments or objections regarding the amendment. dishNET Wireline is currently registered with the Public Service Commission to provide telecommunications services in all Qwest dba CenturyLink territories. Probable Motion: Move to approve the amendment to the interconnection agreement between Qwest Corporation dba CenturyLink and dishNET Wireline in Docket No. D2010.9.96.

4. Qwest Corporation dba CenturyLink D2005.3.36 (Mike)
CenturyLink and Metropolitan Telecommunications of Montana

CenturyLink has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink and Metropolitan Telecommunications in Docket No. D2005.3.36. The amendment was properly noticed, and the Commission has not received any comments or objections regarding the amendment. Metropolitan Telecommunications is currently registered with the Public

Service Commission to provide telecommunications throughout the state of Montana. Probable Motion: Move to approve the amendment to the interconnection agreement between Qwest Corporation dba CenturyLink and Metropolitan Telecommunications in Docket No. D2005.3.36.

5. Triangle Telecommunications/Central Montana D2008.3.25 (Mike)
Triangle Telecommunications/Central Montana and New Cingular Wireless dba AT&T Mobility

Triangle Telecommunications has filed for approval with this Commission an amendment to the existing interconnection agreement between Triangle Telecommunications and New Cingular Wireless dba AT&T Mobility in Docket No. D2008.3.25. The amendment was properly noticed, and the Commission has not received any comments or objections regarding the amendment. AT&T Mobility is currently registered with the Public Service Commission to provide telecommunications throughout the state of Montana. Probable Motion: Move to approve the amendment to the interconnection agreement between Triangle Telecommunications and New Cingular Wireless dba AT&T Mobility in Docket No. D2008.3.25.

6. Out of state staff travel (Kate)

Staff requests approval of Scott Fabel's travel to the spring meeting of the NARUC Staff Subcommittee on Accounting & Finance, April 22-24, 2013, in Oklahoma City, OK. Probable Motion: Move to approve the requested travel.

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

1. D2012.9.101 and D2012.10.113 – Qwest Corporation dba CenturyLink QC and Tri Tel, Inc. and CenturyTel of Montana, Inc. dba CenturyLink and Spectrotel, Inc. – Applications for Approval of Interconnection Agreements – Discuss and act on proposed interconnection agreements. (12/11/12)
2. D2008.1.6 – PSC Initiated Investigation of Qwest Corporation Regarding the Justness and Reasonableness of Rates, Schedules and Terms and Conditions of Service – Discuss and act on the CenturyLink alternative regarding St. Mary DSL deployment. (12/11/12)
3. D2012.7.81 – Mountain Water Company – Application to Increase Rates and Charges for Water Service to its Missoula, Montana, Customers – Discuss and act on the Motion for Protective Order. (12/11/12)

4. D2011.1.12 – Miller Oil Company dba The City Line – Application to Implement an Annual True-Up of its Propane Cost Tracking Adjustment – Discuss and act on draft final order. (12/11/12)
5. D2012.11.122 – Montana-Dakota Utilities Co. – Application to Implement a Fuel and Purchased Power Cost Tracking Adjustment – Rate 35 – Discuss and act on draft interim order. (12/11/12)
6. D2012.9.94 – NorthWestern Energy – Application for Authority to Establish Increased Natural Gas Delivery Service Rates and Allocated Cost of Service and Rate Design – Discuss and act on noticing the following issues in this proceeding: The effectiveness and regulatory treatment of DSM and USB programming and whether such programming is properly capitalized or expensed. (12/11/12)
7. D2012.9.94 – NorthWestern Energy – Application for Authority to Establish Increased Natural Gas Delivery Service Rates and Allocated Cost of Service and Rate Design – Consider and act on NorthWestern Energy's objections to data requests. (12/11/12)
8. (1) Draft rules regarding simplified regulatory treatment options for small water/wastewater utilities, and (2) draft bill to amend Section 76-3-622, MCA, to address subdivision developments that include small water and/or wastewater utility systems. – Discuss/act on (1) initiating informal rulemaking process on draft rules and (2) going forward with draft PSC bill in 2013 Legislature. (12/11/12)
9. Request to reclassify Legal Secretary position to Paralegal position. (12/11/12)
10. Blue Book revisions – Review revised draft of the Commissioners' section of the Blue Book. (12/11/12)

Other Meetings

12/12/12 10 a.m. - 4 p.m. – New Commissioner Orientation (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 website at <http://psc.mt.gov>.

1. NorthWestern Energy (NWE) D2012.9.94 (Jason/Dennis)

On November 26, 2012, NWE submitted a motion for protective order to protect the disclosure of certain state and federal income tax information, specifically state and federal income tax returns for 2010 and 2011, requested as part of the discovery process.

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

D2012.11.123 – NorthWestern Energy – Petition for Certification of an Eligible Renewable Resource