

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 13- 01-15**

Date Published: January 10, 2013
For Work Week Commencing: January 14, 2013
Commission Meeting: January 15, 2013, 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 January 7, 2013

2. Out of state staff travel (Kate)

Staff requests Commission approval of out-of-state travel for David Lofftus to attend the quarterly meetings of the Transmission Expansion Planning Policy Committee (TEPPC), the Scenario Planning Steering Group (SPSG), and the Technical Advisory Subcommittee (TAS), all in Salt Lake City, February 11-14, 2013. (Background on these committees from the Western Electricity Coordinating Council's website: TEPPC oversees transmission planning database management, provides policy and management of the planning process, and guides the analyses and modeling for Western Interconnection economic transmission expansion planning. SPSG and TAS are sub-groups of TEPPC. The purpose of SPSG is to advise TEPPC on scenarios to be modeled in transmission planning studies, the modeling tools to be used and key assumptions to be used in creating and reviewing the scenarios. TAS collects and disseminates data to TEPPC for both historic and forward-looking congestion studies.) Probable motion: Move to approve the out-of-state staff travel request.

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

1. Chairman's Committee appointments – Discuss and ratify the Chairman's roster of Committee assignment/appointments. (1/15/13)
2. Proposal to open the Chief Legal Counsel Position (Exempt) – Discuss and act on Chairman Gallagher's proposal to open the Commissioner's "exempt" administrative position of Chief Legal Counsel effective February 15, 2013, and to notice/solicit applications for the position immediately. (1/15/13)
3. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (1/15/13)

4. **1/14/13 at 1:30 p.m., 1/16/13, 1/17/13, 1/18/13, at 8:30 a.m.** - Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills.

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.

1. CenturyLink N2012.12.127 (Mike)

On December 10, 2012 CenturyLink filed a Petition for Waiver of the Months to Exhaust/Utilization Threshold requirements as set forth in the Federal Communications Commission's Number Resource Optimization Orders, FCC 00-429 and FCC 01-362 in CC Docket No. 99-200. A waiver of the FCC's requirements would allow Neustar, the national Pooling Administrator, to provide one new thousand block of numbers to Qwest Corporation in the Bozeman Rate Center in order to satisfy a specific customer request from Oracle. The FCC rules do allow for a waiver of rules when there is such a specific customer request. This waiver process ("safety valve process") is addressed in FCC 01-362, paragraphs 57-66, which delegates waiver authority to state commissions.

2. CenturyLink N2013.1.3 (Mike)

On December 19, 2012 CenturyLink filed a Petition for Waiver of the Months to Exhaust/Utilization Threshold requirements as set forth in the Federal

Communications Commission's Number Resource Optimization Orders, FCC 00-429 and FCC 01-362 in CC Docket No. 99-200. A waiver of the FCC's requirements would allow Neustar, the National Pooling Administrator, to provide one new thousand block of numbers to Qwest Corporation in the Missoula Rate Center in order to satisfy a specific customer request from Missoula School District. The FCC rules do allow for a waiver of rules when there is such a specific customer request. This waiver process ("safety valve process") is addressed in FCC 01-362, paragraphs 57-66, which delegates waiver authority to state commissions.

3. Qwest Corporation d/b/a CenturyLink QC D2004.9.149 (Mike)

Qwest Corporation d/b/a CenturyLink QC has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation d/b/a CenturyLink QC and Talk America in Docket No. D2004.9.149. The amendment implements certain terms and conditions of the USF/ICC Transformation Order released by the FCC on November 18, 2011.

4. Qwest Corporation d/b/a CenturyLink QC D2001.1.7 (Mike)

Qwest Corporation d/b/a CenturyLink QC has filed for approval with this Commission an amendment to the existing interconnection agreement between Qwest Corporation d/b/a CenturyLink QC and McLeodUSA Telecommunications Services, LLC d/b/a PAETEC Business Services in Docket No. D2001.1.7. The amendment implements certain terms and conditions of the USF/ICC Transformation Order released by the FCC on November 18, 2011.

5. Project Telephone Company D2008.7.87 (Mike)

Project Telephone Company has filed for approval with this Commission an amendment to the existing interconnection agreement between Project Telephone Company and New Cingular Wireless d/b/a AT&T Mobility in Docket No. D2008.7.87. The amendment implements certain terms and conditions of the USF/ICC Transformation Order released by the FCC on November 18, 2011.

6. Nemont Telephone Cooperative D2008.7.89 (Mike)

Nemont Telephone Cooperative has filed for approval with this Commission an amendment to the existing interconnection agreement between Nemont Telephone Cooperative and New Cingular Wireless d/b/a AT&T Mobility in Docket No. D2008.7.89. The amendment implements certain terms and conditions of the USF/ICC Transformation Order released by the FCC on November 18, 2011.

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.

1. **Qwest Corporation d/b/a CenturyLink QC (Qwest) 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 Ave. Helena, MT, 59620, 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. D2008.1.3, Order No. 6889n, Joint Stipulation).

1.) **Qwest Corporation d/b/a CenturyLink QC/Edward D. Jones & Co., L.P.**
Qwest Corporation d/b/a CenturyLink QC (Qwest) and Edward D. Jones & Co., L.P. have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Edward D. Jones & Co., L.P.

2.) **Qwest Corporation d/b/a CenturyLink QC/Western Security Bank**

Qwest Corporation d/b/a CenturyLink QC (Qwest) and Western Security Bank have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Western Security Bank.

3.) **Qwest Corporation d/b/a CenturyLink QC/Davidson Companies**

Qwest Corporation d/b/a CenturyLink QC (Qwest) and Davidson Companies have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Davidson Companies.

4.) Qwest Corporation d/b/a CenturyLink QC/Farmers Union Mutual Insurance

Qwest Corporation d/b/a CenturyLink QC (Qwest) and Farmers Union Mutual Insurance have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Farmers Union Mutual Insurance.

New Filings Received in Past Week

N2013.1.1 - Public Service Commission - 2013 Annual Line Moving Charges - Compliance Filings

N2013.1.2 - Public Service Commission - 2013 Renewable Portfolio Standard Compliance Reporting

N2013.1.3 - Qwest Corporation - Waiver of Months to Exhaust/Utilization Threshold Requirement - Missoula Rate Center