

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 13-03-05**

Date Published: February 28, 2013
For Work Week Commencing: March 4, 2013
Commission Meeting: March 5, 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 February 28, 2013

2. Out-of-state staff travel (Kate)

Staff requests approval of the following travel requests: (1) Brian DeKiep and David Lofftus, PUC Energy Imbalance Market and State Provincial Steering Committee meetings, Boise, ID, April 8-10, 2013, and (2) Brian DeKiep, OMS/MISO annual stakeholders meeting, Traverse City, MI, June 22-25, 2013. Probable motion: Move to approve the travel requests.

3. American Medical Response, Inc. T-13.2.RI (Nickie)

On January 25, 2013 American Medical Response, Inc., Billings, Montana filed for increased rates and charges for transportation conducted under PSC No. 8996. The increases range between 4.82% and 5%. The rate increase was noticed to the public on February 13, 2013 and no protests were received. Rates are scheduled to become effective on March 11, 2013. Probable Motion: Approve the rate increases as applied for.

Class B - Handicapped persons, convalescents, and wheelchair patients, between all points and places in Yellowstone, Carbon, Stillwater, Big Horn and Musselshell Counties, Montana. Limitations: All transportation must originate or terminate in Yellowstone County.

4. South Lake Taxi TN2568 (Brenda)

Dennis F. Orr Sr. d/b/a South Lake Taxi, Polson, Montana requests permission to lease PSC No. 9479 to Sierra L. Kneeland d/b/a South Lake Taxi II, Polson, Montana for one year March 17, 2013 to March 17, 2014. Probable Motion: Approve the lease as applied.

Class B - Persons within the City of Polson, Montana and between points and places within a seventy (70) mile radius thereof. Limitations: 1) Transportation in limousine service is prohibited. 2) Transportation must originate or terminate in Lake County. 3) Carrier is prohibited from picking up passengers in Flathead County. 4) Transportation is limited to ten (10) passengers or less. 5) Carrier is prohibited from transporting passenger to or from medical facilities.

5. Mergenthaler Transfer & Storage Co. TN2527 and TN2528 (Nickie)

Mergenthaler Transfer & Storage Co., Helena, Montana has submitted an unopposed motion to withdraw their request to split PSC No. 1464 Sub H out for leasing purposes and withdraw the request to lease that authority to the City of Helena. These requests were originally submitted in March, 2012, protests were received and action had been deferred at the request of Mergenthaler. Proposed Motion: Accept the withdrawal request by Mergenthaler and close the two dockets.

SUB H Class D - Ashes, waste, trash, rubbish and garbage in the City of Helena, Montana, and to and from points within a radius of 35 miles of Helena, Montana. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Transportation between points served by rail carrier or by a Class "A" motor carrier for distances beyond the radius of ten (10) miles from the City of Helena is prohibited.

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

1. D2012.10.108 – MDU – Application for Accounting Order – Discuss and act on MDU’s request for authority for deferred accounting treatment for costs associated with the clean-up of the manufactured gas plant site Billings. (3/5/13)
2. Placeholder - D2012.7.81 – Mountain Water Co. – Application to Increase Rates and Charges for Water Service to its Missoula, MT Customers – Discuss and act on the Motion of the Montana Consumer Counsel to Suspend Procedural Schedule, Vacate Hearing, and Strike Testimony. 3/5/13)
3. Placeholder – D2012.1.3 – NorthWestern Energy – NWE’s Application for Approval of Avoided Cost Tariff for New Qualifying Facilities – Discuss and act on NWE’s Motion for Stay of Portions of Final Order 7199d Pending Judicial Review. (3/5/13)

4. ARM 38.2.5031, Public Utility Executive Compensation – Review repeal notice for ARM 38.2.5031, Public Utility Executive Compensation. (3/5/13)
5. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction and PSC response to bills. (3/5/13)
6. Placeholder – Chief Legal Counsel Position – Discuss status and terms of offer made to top Chief Legal counsel candidate. (3/5/13)

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.

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.

3/4/13 9:00 a.m. – 4:00 p.m. – Commissioner/staff tour of Dave Gates Generating Station near Anaconda and NorthWestern Energy's facilities in Butte

New Filings Received in Past Week

N2013.2.13 - Public Service Commission - Annual Electric Reliability Reports - 2012