

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 13-05-07**

Date Published: May 2, 2013

For Work Week Commencing: May 6, 2013

Commission Meeting: May 7, 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 April 29, 2012

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

Staff requests approval of the following travel to required pipeline safety courses for Pipeline Safety Unit staff:

Joel Tierney: Hazardous Materials Refresher, August 7, 2013, Austin, TX; Integrated Inspections Course, November 13-15, 2013, Oklahoma City.

John Torske: Root Cause Investigation Course, July 22-26, 2013, Oklahoma City; Pipeline Pigging Course, August 19-23, 2013, Tulsa, OK; Pipeline Compliance Procedures Course, September 16-20, 2013, Oklahoma City; OQ Programs Course, October 16-18, 2013, Oklahoma City.

Elizabeth Kamback: Root Cause Investigation Course, July 22-26, 2013, Oklahoma City; Welding Course, August 12-16, 2013, Oklahoma City; Pipeline Pigging Course, August 19-23, 2013, Tulsa, OK; Gas Pressure Regulation Course, September 17-19, 2013, Oklahoma City; OQ Programs Course, October 16-18, 2013, Oklahoma City.

3. Central Montana Communications N2013.3.21 (Scott)

On March 18, 2013, Central Montana Communications (CMC) requested to modify their tariffs. The rates for residential bundles and business bundles will increase by \$1.00 and \$2.00 respectively to reflect the Access Recovery Charge (ARC) that will be implemented July 1, 2012 and the additional ARC to take effect July 1, 2013. Probable Motion: Approve CMC Request in Docket N2013.3.21.

4. Great Falls Historic Trolley TN2575 (Brenda)

Carol T. Place d/b/a Great Falls Historic Trolley, Great Falls, Montana requests that PSC No. 9382 be cancelled. The business has been sold to a non-profit organization and operations would be outside the Commission jurisdiction under 69-12-102(k) MCA. Probable Motion: Cancel PSC No. 9382, as requested, effective immediately.

Class B - Passengers within the City of Great Falls, Montana and a ten (10) mile radius thereof. Limitations: Transportation is restricted to that provided by replica motorized trolley. Carrier is restricted from additionally providing off-vehicle guided tours of historical and natural attractions in conjunction with the transportation fare.

5. Floaters Shuttle Service LLC                      T-12.8.ST                      (Nickie/Justin)

On May 22, 2012 Floaters Shuttle Service LLC, Bozeman, Montana submitted an application to transfer PSC No. 9463 to Paul LeGros d/b/a Madison River Shuttle, Bozeman, Montana. That application was noticed to the public on June 18, 2012. With information that came to light in Docket T-12.5.PCN, the application by Paul LeGros d/b/a A-Cab Taxi, Bozeman, Montana, the Commission voted on July 30, 2012 to defer action on the sale and transfer until a decision was reached in the PCN application. The proposed order has been issued in T-12.5.PCN as a denial based in part on the fitness of the applicant. An Order to Show Cause was issued to Mr. LeGros and sent by certified mail requesting documentation that the outstanding legal issues against Mr. LeGros have been resolved and that the carrier is fit to hold a certificate in this docket, T-12.8.ST. There has been no response to that Order to Show Cause. Probable Motion: Close the sale and transfer docket and return PSC No. 9463 to Floaters Shuttle Service LLC.

Class B – Passengers between the Fish Wildlife and Parks access site located at Black’s Ford and Bureau of Land Management use area, Warm Springs, on MT Route 84.

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

1. D2010.10.99 – iSmart Mobile, LLC – Application for designation as an eligible telecommunications carrier – Discuss and act on the final order. (5/7/13)
2. 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 draft final order. (5/7/13)
3. D2008.8.95 – NorthWestern Energy – Approval to construct and operate Dave Gates generating station/carbon offset projects – Consider staff analysis of revised plan and obtain direction for communication with

- NorthWestern and involved parties about incorporating Commission's concerns with revised plan filing amended version. (5/7/13)
4. D2013.3.15 – Black Hills Power – Petition for a short-term waiver of the Community Renewable Energy Project requirement – Discuss and act on granting petition for short-term waiver and associated penalty provision. (5/7/13)
  5. Membership in RCCo, the successor organization to the current WECC reliability function – Consider whether the MPSC should join the RCCo as a Class 5 (state and provincial regulator/government) member. (5/7/13)
  6. Placeholder – ARM 38.5.1902 – In the event that Governor Bullock vetoes HB 188, transmitted to him on 4/26/13, to discuss and authorize staff to notice proposed rule change to ARM 38.5.1902, aligning the PSC rule on QF eligibility for standard offer contracts with existing federal PURPA law. (5/7/13)

### **Other Meetings**

#### **5/6/13 - 10:00 a.m. – 12:00 p.m. – NorthWestern Energy – update on Distribution System Infrastructure Project (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**

N2013.5.32 – PSC Initiated - 2013 Annual Certification of Montana Eligible Telecommunications Carriers