

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 13-10-29**

Date Published: October 24, 2013  
For Work Week Commencing: October 28, 2013  
Commission Meeting: October 29, 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 website 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 October 21, 2013

2. BLACK HILLS POWER (BHP) D2013.9.67 (Eric)

On September 20, 2013, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on September 24, 2013. Requests for hearing were due by October 25, 2013. No requests have been received. This application will increase revenues by \$90,659 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Probable motion: Grant BHP's Quarterly Fuel Rate Rider application.

3. University Movers T-13.24.PCN (Brenda)

On July 29, 2013, Alvis Miller dba University Movers submitted an application for a certificate of public convenience and necessity. The application was noticed to the public on August 6, 2013, and protests were received. The two protestants to the docket have withdrawn their protests. The application is now uncontested. Probable Motion: Approve the application of Alvis Miller dba University Movers as applied for.

Class B – household goods between all points and places in Missoula and Ravalli County.

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

1. D2010.6.60 – North Star Planned Unit Development – Application for Initial Rates for Water and Wastewater Service in its Helena, Montana, Service Area – Discuss/act on motion to defer filing a general rate case until June 1, 2014. (10/29/13)
2. NorthWestern Energy's (NWE) pending 2013 resource plan and application for approval to acquire hydroelectric generating plants from PPL Montana – Discuss and provide direction to staff regarding hiring consultants to advise the Commission on: 1) the adequacy of NWE's portfolio cost modeling and risk assessment, the technical capabilities and limitations of the modeling software, and interpretation of model output; and 2) other issues. (10/29/13)

3. MAR Notice No. 38-5-218 – Discuss and act on draft notice of adoption and amendment of ARM 38.5.1902 pertaining to qualifying facilities. (10/29/13)
4. D2013.7.57 – Devon Gas Corporation and Havre Pipeline Company, LLC – Application for Declaratory Ruling or for Approval of the Proposed Sale of Ownership Interests – Discuss and act on declaratory ruling request and draft final order. (10/29/13)

### **Other Meetings**

**10/30/13 – 12-1:30 p.m. – NRRI teleseminar: “Competition in Telecommunications: How Can We Measure It, Evaluate It, and Preserve It?” (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.

1. NorthWestern Energy (NWE) D2013.10.72 & D2013.10.73 (Scott)

On October 21, 2013, NWE filed an application seeking authority to accumulate the under and over collections of MPSC and MCC taxes starting on October 1, 2013. NWE has requested to defer implementing tariffs reflecting these tax increases at this time. NWE proposes to accrue both under and over collections for inclusion in its next general rate filing. The under and over collections will be carried on NWE's books as regulatory liabilities and assets until returned to or recovered from customers.

2. Qwest Corporation dba CenturyLink QC D2002.6.68 (Mike)  
Qwest Corporation dba CenturyLink QC / Level 3 Communications, LLC

Qwest Corporation dba CenturyLink QC has filed for approval with this Commission a 'Relative Use Factor' amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink QC and Level 3 Communications, LLC in Docket No. D2002.6.68. Details of the amendment have been included with the filing and may be viewed on the Public Service Commission website at <http://psc.mt.gov/>.

3. Qwest Corporation dba CenturyLink QC D2002.6.68 (Mike)  
Qwest Corporation dba CenturyLink QC / Level 3 Communications, LLC

Qwest Corporation dba CenturyLink QC has filed for approval with this Commission an ICC VoIP amendment to the existing interconnection agreement between Qwest Corporation dba CenturyLink QC and Level 3 Communications, LLC in Docket No. D2002.6.68. Details of the amendment have been included with the filing and may be viewed on the Public Service Commission website at <http://psc.mt.gov/>.

**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. Reservation Telephone Cooperative N2013.5.32 (Laura)

On October 16, 2013, Reservation Telephone Cooperative (Reservation) filed a Motion for Protective Order requesting confidential treatment of certain financial and operating information that will be submitted in support of the FCC Form 481 Eligible Telecommunications Carrier reporting. Specifically, Reservation seeks to protect all financial and operating information contained in the U.S. Department of Agriculture Rural Utilities Service Operating Report for Telecommunications Borrowers.

2. West River Cooperative Telephone Company N2013.5.32 (Laura)

On October 16, 2013, West River Cooperative Telephone Company (West River) filed a Motion for Protective Order seeking confidential treatment of certain financial and operating information that will be submitted in support of the FCC Form 481 Eligible Telecommunications Carrier reporting.

Specifically, West River seeks to protect all financial and operating information contained in the U.S. Department of Agriculture Rural Utilities Service Operating Report for Telecommunications Borrowers.

**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.

**1. Qwest Corporation dba 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 Avenue, Helena, MT 59601, 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. D2008.1.6, Order No. 6889n, Joint Stipulation).

1.) Qwest Corporation dba CenturyLink QC (Qwest) and Fidelity National Financial have signed a Multi-State Agreement for Qwest to provide certain telecommunications services to Fidelity National Financial.

**New Filings Received in Past Week**

D2013.10.75 – Citizens Telecommunications Company of Montana dba Frontier Communications of Montana and Vision Net, Inc. – Application for Approval of Interconnection Agreement

D2013.10.76 – Qwest Corporation dba CenturyLink QC – Petition to Approve Replacement of the Performance Assurance Plan