

Minutes.....September 11, 2001 9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, September 11, 2001, the following members were present:

Gary Feland, Chairman  
Bob Anderson, Commissioner  
Matt Brainard, Commissioner  
Bob Rowe, Commissioner

Commissioner Stovall was absent but left votes with the Commission Secretary.

APPEARANCE  
Dennis Crawford  
Utility

(297) In the matter of Qwest Corporation, Docket No. N2001.8.113; On August 23, 2001, Qwest Corporation filed Tariff Transmittal 01-29 to introduce DSS 1 Year Rate Stability Plan, reduce the DSS DS3 NRC charges, and to introduce a Rollover and Signaling Design Change Charge for DSS and UAS. One Year RSP - DSS provides customers a digital connection from their PBX or Call Distribution CPE to the Public Switched Network. DSS is purchased as an alternative to PBX trunks which provide analog connections for PBX systems. DSS is composed of two elements. The DSS facility is a DS1 operating at 1.544 kbs from the customers' PBX to the USW central office. At the central office, DSS trunks are arranged to provide in, out or two-way connections to the Public Switched Network. DSS is arranged as either basic or advanced with basic arrangements having "line" side connections and advanced having "trunk" side connections. Qwest is proposing to introduce a one-year RSP option to meet customer demand for such an option. The proposed rates for the Advanced DSS arrangements for a one year RSP for DS1 is \$145.00 monthly recurring, and \$850.00 non-recurring, for In Only Advanced Trunk, \$63.33 recurring and \$73.10 non-recurring, for Out Only Advanced Trunk, \$23.43 recurring and \$73.10 non-recurring, for Two Way Advanced Trunk, \$63.53 recurring and \$73.10 non-recurring. Reduction of the NRC when the DSS facility is provisioned on DS3 - Qwest is proposing to reduce the non-recurring charge for placing the DSS service on a DS3 service from \$900 to \$325. Introduce a Rollover and Signaling Design Change Charge for DSS and UAS - Qwest is proposing to introduce two non-recurring charge options for 1) "rolling over" an existing DS1 on an existing DS3 and 2) changing the signaling design for the DSS or UAS facility. These charges would be assessed rather than the current non-recurring charges. Qwest is requesting an effective date for this filing of September 10, 2001. Commissioner Rowe moved to approve the tariff filing. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

(298) In the matter of Qwest Corporation, Docket No. N2001.8.114; On August 23, 2001, Qwest Corporation filed Tariff Transmittal 01-30 "Digital Switched Service Promotion". During a 90-day promotional period beginning September 10, and ending December 7, 2001, non-recurring charges will be waived for customers entering into a one-year rate stability agreement for DSS advanced service arrangements. This waiver is available on services ordered during the promotional period and installed by March 7, 2002. The promotion is only available where it is technically feasible to provide service and facilities are available during the promotional period. Commissioner Brainard moved to approve the tariff filing. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

(299) In the matter of CenturyTel Service Group, Inc., Docket No. N2001.8.117; On August 28, 2001 CenturyTel of Montana submitted Tariff P.S.C. Mont. No. 12 to introduce a Centrex promotional offering in which the network access line connection non-recurring charge of \$31.20 will be waived for business or Centrex customers who subscribe to additional or new Centrex lines and features. If approved the promotional period will be from October 1, 2001 through December 31, 2001. Commissioner Rowe moved to approve the tariff filing. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

(300) In the matter of Qwest Corporation, Docket No. N2001.8.115; On August 23, 2001, Qwest Corporation filed Tariff Transmittal 01-31, ISDN Primary Rate Service (PRS) non-recurring charge waiver promotion. ISDN (PRS) provides a digital four-wire full duplex transmission path/ at 1.544 mbps equivalent to a F1 facility. PRS is offered with either 23 B-channels and one D-channel (23B+D) or with 24 B-channels (24B) allowing customers the flexibility to develop configurations to meet their system needs. Each channel operates at 64 kbps carrying user information such as voice calls, circuit switched data, or video. A 24 B-channel facility cannot be purchased without at least one 23B+D since the D-channel is required to carry the signaling information for both facilities. During a promotional period from September 17, 2001 through December 14, 2001 business customers subscribing to a 3 Year Rate Stabilized Agreement for ISDN Primary Rate Service will receive a waiver of the nonrecurring charges associated with the T1 facilities, Service Configurations and ISDN trunk connections. This waiver is available on service ordered during the promotional period and installed by March 17, 2002 and where service is technically feasible and facilities are available. Commissioner Brainard moved to approve the tariff filing. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

APPEARANCE  
Wayne Budt  
Transportation

(301) In the matter of T-01.19.ST; On July 18, 2001 Cutrbus Sparks Ventures LLC dba Classic Limo, Bozeman, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 9403 to Peanut Butter & Jelly Investments LLC dba Classic Limo, Bozeman, Montana. No protests to the transfer were received and staff recommends approval of the transfer.

Class B - Persons and personal baggage to be chauffeured in limousines, between all points and places in the following counties: Gallatin, Park and Madison. Limitations: 1) The transportation of more than twelve (12) passengers per vehicle is prohibited. 2) Solicitation of individual fares is prohibited. 3) Service as a taxi or cab is prohibited.

Commissioner Brainard moved to approve the transfer. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

(302) In the matter of T-01.20.OTSC; On May 29, 2001, the Commission approved the lease of PSC No. 9404 from Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana to Marilyn Kelley dba M.D. & K Taxi & Shuttle Service, Libby, Montana for the period May 30, 2001 to May 30, 2002. On August 22, 2001 an Order to Show Cause was issued for failure by the Lessee, Marilyn Kelley dba M.D. & K Taxi & Shuttle Service, Libby, Montana to complete compliance. The Order to Show Cause was sent by certified mail and refused by the Lessee. Staff recommends that the lease be cancelled and the authority returned to the control of Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana.

Class B – Non-emergency medical and psychiatric patients to and from medical appointments at health care facilities within the following counties: Flathead, Lake, Lincoln, Missoula, and Sanders. Limitations: Transportation must originate or terminate in Lincoln County.

SUB A Class B - Passengers, baggage and express between all points and places in Libby, Montana and a thirty (30) mile radius thereof. Limitations:  
1) Transportation of railway crews is prohibited. 2) Transportation by limousine is prohibited.

Commissioner Rowe moved to terminate the lease and return the authority. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

(303) In the matter of T-01.21.AR; Lee Reynolds has submitted a Verified Statement for the Class D authority held under Montana PSC No. 869. Mr. Reynolds includes garbage pickup in the monthly mobile home park rent for his tenants. He does not charge separately for this service, so he does not have revenue to report under the authority. Mr. Reynolds would like the Commission to accept the Verified Statement in lieu of the revenue requirements as specified in 38.3.1203, ARM.

SUB A Class D - Ashes, trash, waste, refuse, rubbish and garbage in the City of Helena, Montana, and to or from points immediately tributary thereto. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Transportation between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

Commissioner Anderson moved to approve the verified statement in lieu of revenue requirements. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

APPEARANCE  
Laura Calkin  
Centralized Services

(304) In the matter of the approval of Commission Minutes; Commissioner Brainard moved to approve the Commission Minutes for the week of September 4, 2001. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Stovall voted aye.

Minutes .....September 11, 2001 9:00 a.m.

There being no further business to come before the Commission the meeting was adjourned.

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GARY FELAND, Chairman

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JAY STOVALL, Vice Chairman

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BOB ANDERSON, Commissioner

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MATT BRAINARD, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons  
Commission Secretary

(SEAL)

Minutes.....September 11, 2001 9:30 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, September 11, 2001, the following members were present:

Gary Feland, Chairman  
Jay Stovall, Vice Chairman, via telephone  
Bob Anderson, Commissioner  
Matt Brainard, Commissioner  
Bob Rowe, Commissioner

APPEARANCE  
Robin McHugh

(305) In the matter of the Commission's discussion of Northwestern Generation I, LLC' s application for approval of power purchase agreement with Montana Power Company, Docket No. D2001.9.123; Commissioner Brainard moved to approve the issuance of a protective order. Commissioner Stovall seconded the motion, which passed with a vote of 4-1. Commissioners Brainard, Feland, Rowe and Stovall voted aye. Commissioner Anderson dissented.

APPEARANCE  
Robin McHugh

(306) In the matter of the Commission's discussion of the interconnection agreements between Qwest Corporation and Montana Telephone (D2001.6.72), New Access (D2001.6.75), 1-800-RECONEX (D2001.6.78), Z-Tel Communications (D2001.6.79), Preferred Carrier Services (D2001.6.80), and QuantumShift (D2001.6.81); Commissioner Rowe moved to approve the interconnection agreements subject to rejecting provisions inconsistent with previous PSC orders. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE  
Robin McHugh

(307) In the matter of the Commission's discussion of Montana Consumer Counsel and Public Service Commission funding tax, Docket Nos. D2001.9.121 and D2001.9.122, respectively; Commissioner Brainard moved to approve the draft orders. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE  
Robin McHugh, Wayne Budt

(308) In the matter of the Commission's discussion of personnel/attorney hire; Commissioner Anderson moved to authorize the legal division administrator to implement a flexible work schedule for the third attorney position. Commissioner Rowe seconded the motion, which passed unanimously.

Commissioner Brainard moved to fill the fourth attorney position using an exemption. Commissioner Rowe seconded the motion, which passed unanimously.

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GARY FELAND, Chairman

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JAY STOVALL, Vice Chairman

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BOB ANDERSON, Commissioner

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MATT BRAINARD, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons  
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