

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 16, 2003, the following members were present:

Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

Commissioner Rowe was absent and left some written votes with the Commission secretary. Other votes were left open for him.

APPEARANCE

Leroy Beeby

(363) In the matter Central Montana Communications, Inc. N2003.8.126: On August 28, 2003, Central Montana Communications, Inc. (CMC) filed tariffs to modify various tariffs. There are text changes with no change in terms, rates, or conditions. CMC is also requesting to delete the requirement for prepayment of first month of service at time of application, and to delete requirement to establish credit in order to receive a calling card.

Commissioner Jergeson moved to approve CMC' s request. Commissioner Stovall seconded the motion, which passed with a vote of 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Leroy Beeby

(364) In the matter of MCI Telecommunications, Inc. N2003.8.124: On August 28, 2003, MCI Telecommunications, Inc. filed transmittal letter No. 03-11 to introduce Metered Use Service Option CCC – Basic Calling Plan Z and to make text changes to correct typographical errors made to the interLATA and intraLATA rates for the Advanced Option II for Small Business Savings Plan XIV. MCI is requesting a September 5, 2003 effective date.

Commissioner Brainard moved to approve MCI' s request. Commissioner Stovall seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Eric Eck

(365) In the matter of MDU Resources Group, Inc. D2003.8.116: On August 20, 2003, MDU Resources Group, Inc. filed an application to issue additional shares of Common Stock in connection with a three-for-two stock split effected in the form of a stock dividend. A default order has been drafted.

Commissioner Stovall moved to approve the application. Commissioner Brainard seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Scott Fabel

(366) In the matter of Qwest Communication Corporation N2003.8.123: On August 27, 2003, Qwest filed tariff transmittal 03-21, UAS/DSS/ISDN PRS Termination at an Interexchange Carrier (IXC) Point of Presence (POP). The propose of this tariff is to add language to clarify that Uniform Access Solution (UAS), Advanced Digital Switched Service (DSS), and Integrated Services Digital Network (ISDN) customers may terminate data service at an IXC POP, terminating on the Internet by an Internet Service Provider (ISP). Voice service may not terminate at the IXC POP. Qwest is requesting approval of this filing effective September 30, 2003.

Commissioner Jergeson moved to approve Qwest's request. Commissioner Stovall seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(367) In the matter of the approval of Commission Minutes; Commissioner Jergeson moved to approve the Commission Minutes for the week of September 8, 2003. Commissioner Brainard seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Robin McHugh

(368) In the matter of the Commission's discussion of D2002.10.126 - GoInternet:

Commissioner Brainard moved to suspend the procedural schedule until Monica returns. Commissioner Stovall seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Tina Shorten

(369) In the matter of the Commission's discussion of N2003.8.110 – OSP Rate Caps:

Commissioner Stovall moved to approve the new rates. Commissioner Brainard seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Martin Jacobson

(370) In the matter of the Commission's discussion of N2003.8.112 – ETC Annual Certification:

Commissioner Jergeson moved to approve 2003 requests and 2003 certification. Commissioner Stovall seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Mike Lee

(371) In the matter of the Commission's discussion of D2003.5.62 and D2003.4.46 – FCC Triennial Review Order:

Commissioner Brainard moved to direct staff to prepare a default order with a provision for filing comments in 10 days. Commissioner Jergeson seconded the motion, which passed 4-0. Commissioner Rowe did not leave a vote on this issue.

APPEARANCE

Leroy Beeby

(372) In the matter of the Commission's discussion of D2000.8.113 – Montana Power Company:

Commissioner Stovall moved to issue a correction on the Montana Power Company order. Commissioner Jergeson seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Robin McHugh

(373) In the matter of the Commission's discussion of D2003.6.77 – NWE – Electric Default Supply Tracker Filing:

Commissioner Jergeson moved to authorize staff to modify the schedule as outlined, which may result in changing the hearing date to sometime after Dec. 1, 2003. Commissioner Brainard seconded the motion, which passed 4-0. Commissioner Rowe did not vote on this issue.

APPEARANCE

Martin Jacobson

(374) In the matter of the Commission's discussion of D2003.7.86 – NWE – Annual QF Avoided Cost:

Commissioner Stovall moved to approve a draft “additional issues” notice. Commissioner Brainard seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Robin McHugh

(375) In the matter of the Commission's discussion of D2003.8.109, D2003.8.114 – CELP and YELP:

Commissioner Stovall moved to deny the motion for order to show cause. Commissioner Jergeson seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Robin McHugh

(376) In the matter of the Commission's discussion of D2003.9.130 and 131 – PSC and MCC fees pass through authorization orders:

Commissioner Stovall moved to authorize staff to draft orders related to increase of MCC and PSC rates. Commissioner Brainard seconded the motion, which passed 4-0. Commissioner Rowe later voted aye, making the vote unanimous.

APPEARANCE

Robin McHugh

(377) In the matter of the Commission's discussion of D2003.6.77 – Petition for Late Intervention of the Northwest Power and Conservation Council:

Commissioner Jergeson moved to deny request for late intervention without prejudice. Commissioner Stovall seconded the motion, which passed 4-0. Commissioner Rowe voted aye, making the vote unanimous.

APPEARANCE

Robin McHugh

(378) In the matter of the Commission's discussion of D2003.8.109 – MCC/PSC – Investigation of NWE:

Commissioner Brainard moved to seek the highest possible status in the bankruptcy proceeding. Commissioner Schneider seconded the motion, which passed 5-0, making the vote unanimous.

APPEARANCE

Robin McHugh

(379) In the matter of the Commission's discussion of Outside Support for PSC in event of NWE bankruptcy:

Commissioner Schneider moved for independent intervention and requests to the legislature in the budget process for the ability to fully participate to protect Montana interests. In addition, this motion is intended to provide flexibility and does not preclude PSC from using MCC, the AG's bankruptcy unit or outside technical support. Commissioner Jergeson seconded the motion, which passed 5-0, making the vote unanimous.

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

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

JAY STOVALL, Commissioner

GREG JERGESON, Commissioner

MATT BRAINARD, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)