

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 22, 2005, the following members were present:

Greg Jergeson, Chairman
Brad Molnar, Vice Chairman
Doug Mood, Commissioner
Robert H. Raney, Commissioner
Thomas J. Schneider, Commissioner

APPEARANCE

Gary Duncan
Utility Division

(446) In the matter of D2004.4.62 Qwest/OPCOM; D2004.6.92 Qwest/AirTel, and D2004.5.83 Qwest/Blackfoot Interconnection Agreements- In the spring of 2004 the following three interconnection agreements were filed with the Commission for approval: D2004.4.62 Qwest/OPCOM; D2004.6.92 Qwest/AirTel, and D2004.5.83 Qwest/Blackfoot. All three of these arrangements were brought before the Commission within the allowed 90 days for approval. The work session was held on July 12, 2004 and all three interconnection agreements were approved on a 4-0 vote. However, recently in viewing the status of open dockets, it has come to staff's attention that no signed final orders were ever issued in these three dockets. A majority of Commissioners who voted to approve the interconnection agreements are no longer members of the Commission:

Commissioner Raney moved to affirm and renew the action approving each order taken on July 12, 2004 and direct staff to issue the final orders. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(447) In the matter of TN2284-Anaconda Chamber of Commerce, Anaconda, Montana requests that PSC No. 9146 be cancelled based on the amendments to 69-102, from HB273 in the 2005 legislature, removing 501(c) passenger carriers from our jurisdiction:

Commissioner Raney moved to approve the cancellation as requested. Commissioner Schneider seconded the motion, which passed unanimously.

(448) In the matter of TN2285-Greyhound Lines, Inc., Dallas, Texas, requests permission to continue to self-insure, for liability purposes, for a one year period, October 1, 2005 to October 1,

2006. Financial documents support their request:

Commissioner Raney moved to approve the request for continued self-insurance. Commissioner Mood seconded the motion, which passed unanimously.

(449) In the matter of TN2286-Town Taxi, Inc., Havre, Montana requests permission to continue the fuel surcharge of \$.50 per fare covering passenger movements under PSC No. 9436 for a final 90 days:

Commissioner Jergeson moved to approve the fuel surcharge. Commissioner Raney seconded the motion, which passed unanimously.

(450) In the matter of the approval of Commission Minutes:

Commissioner Mood moved to approve the Commission Minutes for the week of November 14, 2005. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan
Utility Division

(451) In the matter of the Commission's discussion of Qwest, NorthStar Telecom, Prime Time Ventures, VCI, 1-800-Reconex, Transnational Communications, OrbitCom, New Rochelle, Vivid Networks TRO/TRRO Interconnection Agreement Amendments- Docket No. D2004.11.176, D2005.3.37, D2005.3.38, D2004.5.85, D2005.9.136, D2003.1.5, D2005.2.13, D2003.2.18:

Commissioner Schneider moved to approve the following eight wireline TRO/TRRO interconnection agreement amendments: Qwest/NorthStar Telecom in D2004.11.176, Qwest/Prime Time Ventures in D2005.3.37, Qwest/VCI in D2005.3.38, Qwest/1-800-Reconex in D2004.5.85, Qwest/Transnational Communications in D2005.9.136, Qwest/OrbiCom in D2003.1.5, Qwest/New Rochelle in D2005.2.13, and Qwest/Vivid Networks in D2003.2.18. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator
Legal Division

(452) In the matter of the Commission's discussion of Qwest petition to amend ARM 38.5.4111(2) - Pertaining to PIC change charges- Docket No. N2005.10.160:

Commissioner Raney moved to approve the order granting the petition and file the amendment with the Secretary of State's office in Docket No. N2005.10.160. Commissioner Schneider

seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson
Legal Division

(453) In the matter of the Commission's discussion of NorthWestern Energy consolidated qualifying facility avoided cost dockets- Docket No. D2003.7.86, D2004.6.96, D2005.6.103:

Commissioner Schneider moved to deny the motion to suspend without prejudice and issue a Notice of Commission Action outlining the description that staff has provided. Commissioner Raney seconded the motion, which passed unanimously.

(454) In the matter of the Commission's discussion of Montana Dakota Utilities natural gas trackers- Docket No. D2003.4.49, D2004.4.45, D2004.5.69:

Commissioner Raney moved to deny MDU's motion for Protective Order without prejudice and issue instructions on filing in accordance with PSC rules, and to approve the motion of the Montana Consumer Counsel to suspend the procedural schedule pending conclusion of the PSC on the Protective Order. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE
Candace Beery
Utility Division

(455) In the matter of the Commission's discussion of Organization of MISO States (OMS) Board of Directors special meeting:

Commissioner Molnar moved that Montana participate in the comments to FERC in this matter and delegate proxy any amendments that may be offered. Commissioner Raney seconded the motion, which passed unanimously.

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

GREG JERGSON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)