

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, September 7, 2006, the following members were present:

Greg Jergeson, Chairman
Brad Molnar, Vice Chairman (via telephone)
Doug Mood, Commissioner
Thomas J. Schneider, Commissioner

Commissioner Raney left his proxies with Commissioner Jergeson.

APPEARANCE
Scott Fabel, Utility Division

(347) In the matter of CenturyTel – N2006.8.122 – On August 17th CenturyTel filed transmittal No. 06-06. In this filing CenturyTel is requesting to establish a schedule nor N11 Abbreviated Dialing Codes. The Company request an effective date of September 16, 2006, for this filing.

Commissioner Schneider moved to approve CenturyTel's transmittal No. 06-06 in Docket N2006.8.122. Commissioner Mood seconded the motion, which passed 4 to 0. The vote was held open for Commissioner Molnar.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(348) In the matter of Classic Limo, Inc., Bozeman, MT – T-06.24.ST – On July 26, 2006, Classic Limo, Inc., Bozeman, Montana, filed an application to transfer PSC No. 9403 to rumble, Inc. dba Classic Limo, Bozeman, Montana. The transfer was noticed to the public on August 10, 2006, and no protests were received.

Commissioner Schneider moved to approve the transfer of authority as applied for. Commissioner Mood seconded the motion, which passed 4 to 0. The vote was held open for Commissioner Molnar.

(349) In the matter of the Commission Minutes for the week of August 28, 2006:

Commissioner Mood moved to approve the Commission Minutes for the week of August 28, 2006. Commissioner Schneider seconded the motion, which passed 4 to 0. The vote was held open for Commissioner Molnar.

APPEARANCE
Mike Lee, Utility Division

(350) In the matter of the Commission's discussion of D2004.5.84 - Intercarrier Compensation

Missoula Plan :

Commissioner Schneider moved to cancel the October 20, 2006 Intercarrier Compensation Roundtable and reschedule it for the morning of November 17, 2006 Commissioner Mood seconded the motion, which passed unanimously.

(351) In the matter of the Commission's discussion of FCC's invite for comments on using a reverse auction for purposes of federal universal service funding:

Commissioner Mood moved to direct staff to begin preparing comments and thoughts with the goal of the PSC making reply comments on the FCC reverse auction item. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist, Utility Division

(352) In the matter of the Commission's discussion of D2005.12.177 - Energy West Montana – Investigation of USB programs:

Commissioner Schneider moved to issue a notice for opportunity for public hearing on the stipulation between Energy West, Montana Consumer Counsel, and Energy Share in D2005.12.177. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(353) In the matter of the Commission's discussion of D2005.12.170 – NorthWestern Energy – the Application of NorthWestern Energy for Automatic Rate Adjustment and Tracking for Taxes and Fees:

Commissioner Mood moved that the hearing in D2005.12.170 be moved to Wednesday, October 25, 2006 at 9:30 a.m. Commissioner Molnar seconded the motion, which passed unanimously.

(354) In the matter of the Commission's discussion of D2006.7.108 – Westech Energy Corporation:

Commissioner Schneider moved to issue an order approving the requested rates on an interim basis subject to refund, with direction for Westech to file an application for permanent rates as soon as practical after December 31, 2007, using calendar year 2007 as a test year. Commissioner Mood seconded the motion, which passed unanimously.

(355) In the matter of the Commission's discussion of D2006.6.82 - NorthWestern Corporation and Babcock Brown Infrastructure Limited, BBI US Holdings Pty. Ltd., BBI US Holdings II Corp., and BBI Glacier Corp. for Approval of the Sale and Transfer of NorthWestern Corporation Pursuant to a Merger Agreement:

On Items 1, 5, 6, and 8; Commissioner Schneider moved to deny the company's motion for protection with respect to the Company Disclosure Letter. Commissioner Mood seconded the motion, which passed unanimously.

On Item 2; Commissioner Schneider moved to deny the motion with respect to the board minutes without prejudice and order NOR to either file a new motion with more supporting evidence than the conclusory statements contained in this motion or to produce the documents by September 15, 2006. Commissioner Mood seconded the motion, which passed unanimously.

On Item 3; Commissioner Mood moved to grant the motion. Commissioner Schneider seconded the motion, which passed unanimously.

On Items 4 and 20; Commissioner Mood moved to have the Commission grant a protective order for Items 4 and 20, and also order NOR to make a public filing of the analyses with the names of the bidders redacted. Commissioner Molnar seconded the motion, which passed 4 to 1. Commissioner Schneider voted no.

On Item 9; Commissioner Schneider moved to deny the motion with respect to Item 9 and order NOR to produce the list. Commissioner Mood seconded the motion, which passed unanimously.

On Items 10 and 22; Commissioner Schneider moved to grant the protective order for those items for which it is in fact non-public portions for Items 10 and 22 and order NOR to produce the public portions redacting the non-public information. Commissioner Mood seconded the motion, which passed unanimously.

On Item 11; Commissioner Mood moved to deny the motion with respect to Item 11 and order NOR to produce the documents. Commissioner Schneider seconded the motion, which passed unanimously.

On Item 12; Commissioner Schneider moved to deny the motion with respect to Item 12 and order NOR to produce the detailed description. Commissioner Molnar seconded the motion, which passed unanimously.

On Items 13 and 14; Commissioner Mood moved that the Commission deny the motion with respect to Items 13 and 14 and order NOR to produce the pertinent portions for the documents with redactions necessary to preserve the identity of the bidder. Commissioner Molnar seconded the motion, which passed 4 to 1. Commissioner Schneider voted no.

On Item 15; Commissioner Schneider moved to deny the motion with respect to Item 15 and to order NOR to produce the information and documents sought. Commissioner Mood seconded the motion, which passed unanimously.

On Item 23; Commissioner Mood moved that the Commission grant a protective order with respect to Item 23 but denies the requests for special terms and conditions for Rating Agency Information. Commissioner Schneider seconded the motion, which passed unanimously.

On Items 7 and 21; Commissioner Mood moved that the Commission deny BBI's motion with respect to Items 7 and 21. Commissioner Schneider seconded the motion, which passed unanimously.

On Item 16; Commissioner Jergeson moved to deny the motion with respect to the board minutes without prejudice and order BBI to either file a new motion with more supporting evidence than the conclusory statements contained in this motion or to produce the documents by September 15, 2006. Commissioner Mood seconded the motion, which passed unanimously.

On Items 17, 18, 26, and 28; Commissioner Schneider moved that the Commission grant a protective order with respect to the Acquisition Model, order BBI to disclose the critical inputs and results of the model, and that it grant protection for those elements of the consultant report, analyses and evaluation that reveal specific details of the acquisition model, and deny the request for special terms and conditions in its entirety. Commissioner Mood seconded the motion, which passed unanimously.

On Items 24 and 25; Commissioner Mood moved to deny BBI's motion with respect to Items 24 and 25 and order BBI to produce the documents with any redactions necessary to avoid disclosure of the specific acquisition model. Commissioner Schneider seconded the motion, which passed unanimously.

On Item 27; Commissioner Schneider moved that the Commissioner order BBI to produce the documents in Item 27. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator Utility Division

(356) In the matter of the Commission's discussion of out of state staff travel:

Commissioner Schneider moved to approve the authorization of out of state travel for Phil Cooke to travel to NARUC Consumer Affairs Subcommittee meeting in Austin, Texas scheduled for October 30 through November 1, 2006. Commissioner Mood seconded the motion, which passed unanimously.

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

GREG JERGESON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)