

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on November 21, 2006, the following members were present:

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

APPEARANCE

Scott Fabel, Utility Division

(442) In the matter of N2006.11.160 – Qwest – On November 3, 2006 Qwest filed Tariff Transmittal 06-17, change to Term Discount Pricing for Qwest Choice Business and Qwest Choice Business Plus. Qwest is proposing to reduce the number of qualifying lines and/or packages a customer must subscribe to in order to get Term Discount Pricing associated with Qwest Choice Business and Qwest Choice Business Plus. The number of lines and/or packages will be reduced from four to three.

Commissioner Raney moved to approve Qwest's Tariff Transmittal 06-17 in Docket N2006.11.160. Commissioner Molnar seconded the motion, which passed 5-0.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(443) In the matter of Commission minutes for the week of November 13, 2006.

Commissioner Raney moved to approve the Commission Minutes for the week of November 13, 2006. Commissioner Mood seconded the motion, which passed 5-0.

APPEARANCE

Robin McHugh, Administrator  
Legal Division

(444) In the matter of the D2006.8.121 – IDT America – Complaint of IDV v. CenturyTel/pursuant to expedited complaint statute.

Commissioner Schneider moved to grant motion to withdraw and close docket. Commissioner Raney seconded the motion, which passed 5-0.

(445) In the matter of D2006.3.39 – Qwest protective order request.

Commissioner Schneider moved to (1) grant protective order with additional direction that in future motions for protective orders Qwest is directed to comply with ARM 38.2.5007(3)(b) by clearly describing the information for which protection is requested. (2) deny protective order covering information on the “features” and “listings” family of services is denied. The information sought by the Commission, aggregated at the level requested, is not trade secret and not entitled to protection under Montana law. Qwest is directed to provide this information no later than November 27, 2006. Commissioner Molnar seconded the motion, which passed 5-0.

APPEARANCE

Mike Lee, Utility Division

(446) In the matter of the FCC 01-92 – Comment on Missoula Plan Phantom Traffic Interim Process.

Commissioner Raney moved to direct staff to draft reply comments on Phantom Traffic Interim Process submitted to FCC due December 22, 2006. Commissioner Mood seconded the motion, which passed 5-0.

APPEARANCE

Bryan Baldwin, Eric Dahlgren, Will Rosquist, Utility Division  
Al Brogan, Legal Division

(447) In the matter of N2006.5.60 – Commission consideration of the adoption of Energy Policy Act of 2005 standards regarding net metering, fuel diversity, fossil fuel generation efficiency, smart metering and interconnection.

Commissioner Raney moved to direct staff to draft and order following with description of docket proceeding of November 9<sup>th</sup> memo and staff recommendations of November 15th memo. Commissioner Mood seconded the motion, which passed 5-0.

APPEARANCE

Martin Jacobson, Legal Division  
Leroy Beeby, Utility Division

(448) In the matter of D2006.6.89 – West Montana Ventures LLC transfer of ownership.

Commissioner Schneider moved to close docket. Commissioner Raney seconded the motion, which passed 5-0.

APPEARANCE

Robin McHugh, Administrator

Legal Division

Kate Whitney, Administrator

Utility Division

(449) In the matter of legislation – periodic rate review.

Commissioner Raney moved to approve introduced draft bill Commissioner Molnar seconded the motion. Commissioner Jergeson moved to include an amendment to proceed with exempting Rural Telco's. Commissioner Molar seconded the motion, which failed 2-3. Commissioners Jergeson and Molnar vote aye. Commissioners Schneider, Raney and Mood voted no. Commissioner Raney move to direct staff to accept & prepare revisions for introduction on the bill which include effective date of act. Commissioner Molnar seconded the motion which passed 5-0.

(450) In the matter of possible amendment of PSC protective order rules.

Commissioner Raney moved to direct staff to begin rulemaking process and incorporated essential aspects of ARM 38.2.5016 into the ARM 38.2.5007. Commissioner Mood seconded the motion, which passed 5-0.

APPEARANCE

Robin McHugh, Administrator

Legal Division

Wayne Budt, Administrator

Transportation & Centralized Services Division

Nickie Eck, Transportation Division

(451) In the matter of T-06.12.ST and T-06.17.COM – Suhr Transport.

Commissioner Raney moved to approve 2<sup>nd</sup> draft order with minor editing. Commissioner Mood seconded the motion, which passed 5-0.

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

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GREG JERGESON, Chairman

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BRAD MOLNAR, Vice Chairman

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DOUG MOOD, Commissioner

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ROBERT H. RANEY, Commissioner

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THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)