

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, June 26, 2007, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner
Robert H. Raney, Commissioner
Ken Toole, Commissioner

APPEARANCE

Jim Paine, Legal Division

(244) In the matter of 3 Rivers Telephone Cooperative, Inc – D2007.2.21- On February 21, 2007, 3 Rivers Telephone Cooperative, Inc. filed a Petition for Arbitration pursuant to 47 U.S.C. §252(b) of the Telecommunications Act of 1996, seeking Commission arbitration of an interconnection agreement with MTPCS, LLC d/b/a Chinook Wireless. On May 8, 2007, 3 Rivers filed an unopposed Motion to Withdraw its Petition for Arbitration. A 3 Rivers-Chinook interconnection agreement was submitted to the Commission.

Commissioner Raney moved to grant 3 River's motion to withdraw its petition for arbitration in Docket D2007.2.21. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Utility Division

(245) In the matter of Range Telephone Cooperative, Inc. – D2005.9.141 – Range Telephone Cooperative, Inc. (Range) filed for approval by the Commission interconnection agreement Amendment 1 between Range and Cable & Communications Corporation (C&CC) in Docket No. D2005.9.141. This amendment was voluntarily negotiated by the parties involved.

Commissioner Molnar moved to approve the interconnection agreement Amendment 1 between Range Telephone Cooperative and Cable & Communications Corporation (C&CC) in Docket D2005.9.141. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(246) In the matter of TN2348 – Baker Transfer & Storage Co., Billings, MT requests permission to lease PSC No. 563 to RDM, Inc. dba Baker Transfer & Storage Co., Billings, MT for a six month period, July 1, 2007 to January 1, 2008.

Commissioner Molnar moved to approve the lease as applied for. Commissioner Raney seconded the motion, which passed unanimously.

(247) In the matter of TN2349 – Kenneth W. Sorensen and Evelyne J. Sorensen, husband and wife, dba Kootenai Transfer & Storage, Libby, MT requests permission to suspend PSC No. 2075 for a period of six months, July 1, 2007 to January 1, 2008.

Commissioner Mood moved to approve the suspension as applied for. Commissioner Toole seconded the motion, which passed unanimously.

(248) In the matter of TN2350 – Thomas P. McGree, Butte, MT requests permission to continue the lease of PSC No. 2530 to Tucker Transportation, Inc., Butte, MT for a one year period, June 14, 2007 to June 14, 2008:

Commissioner Raney moved to approve the lease as applied for. Commissioner Mood seconded the motion, which passed unanimously.

(249) In the matter of the Commission Minutes:

Commissioner Toole moved to approve the Commission Minutes for the week of June 11, 2007. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Utility Division
Jim Paine, Legal Division

(250) In the matter of the Commission's discussion of D2007.5.51 - 3 Rivers Telephone Cooperative, Inc. and MTPCS, LLC dba as Chinook Wireless, discuss and act on Interconnection Agreement:

Commissioner Raney moved to approve the 3 Rivers Telephone Cooperative interconnection agreement in Docket D2007.5.51. Commissioner Mood seconded the motion, which passed unanimously.

(251) In the matter of the Commission's discussion of N2007.5.48 – Qwest's Motion for Protective Order – to consider Qwest's request to protect Central Office & Access Line Statistics:

Commissioner Raney moved to grant Qwest's request to issue a protective order to protect Central Office and Access Line statistics in N2007.5.48. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(252) In the matter of the Commission's discussion of D2006.10.143 – Qwest Customers – formal complaint against Qwest – to address MCC's Motion to Compel:

Commissioner Raney moved to grant the motion from MCC and compel Qwest to respond to the five data requests and issue the draft order subject to minor editing in D2006.10.143.

Commissioner Mood seconded the motion which passed with a vote of 3 to 0. Commissioner Molnar abstained and Commissioner Toole was recused.

APPEARANCE

Robin McHugh, Administrator, Legal Division

(253) In the matter of the Commission's discussion of N2007.5.50 – MDU – 2007 integrated electric least cost resource plan:

Commissioner Toole moved to waive ARM 38.5.2012(2) to allow a comment deadline of September 14, 2007. Commissioner Raney seconded the motion, which passed unanimously.

Commissioner Mood moved to direct staff to submit questions on the MDU IRP, as necessary, consistent with usual Commission investigatory practice. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(254) In the matter of the Commission's discussion of D2006.5.66 – NorthWestern Energy's application for approval of electric supply deferred cost account balance and projected electric supply cost:

Commissioner Raney moved to consolidate Docket No. D2006.5.66 with Docket No. D2007.5.46. Commissioner Mood seconded the motion which passed unanimously.

APPEARANCE

Scott Fabel, Utility Division

Al Brogan, Legal Division

(255) In the matter of the Commission's discussion of D2007.5.46 – NorthWestern Energy's Electric Default Supply Tracker:

Commissioner Toole moved to approve the interim order subject to minor edits. Commissioner Raney seconded the motion, which passed 3 to 2. Commissioner Molnar and Commissioner Mood voted no.

Commissioner Molnar made a substitute motion to strike items reference in paragraphs 11, 12, and 13 in the draft final order. Commissioner Mood seconded the motion, which failed 3 to 2. Commissioner Jergeson, Commissioner Raney, and Commissioner Toole voted no.

APPEARANCE

Dave Burchett, Utility Division

(256) In the matter of the Commission's discussion of D2007.5.44 – NorthWestern Energy's Natural Gas Tracker filing:

Commissioner Molnar moved to issue the draft interim order subject to any minor editing changes in Docket No. 2007.5.44. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist, Utility Division

(257) In the matter of the Commission's discussion of D2004.6.90 – NorthWestern Energy's – comprehensive demand-side resource program evaluation and lost T&D revenue recovery evaluation:

Commissioner Toole moved to grant NorthWestern Energy's motion for extension of time to August 15, 2007 to file evaluation results and to remind NWE about the requirement to provide a report on lost revenue. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator Utility Division

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

Commissioner Raney moved to approve travel for (1) Joel Tierney, pipeline safety training (SCADA), Oklahoma City, July 17 - 20 and (2) Eric Dahlgren pipeline safety training course in Oklahoma City, August 13 – 17. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(259) In the matter of the Commission's discussion of T-07.22.PCN – Red Lodge Tour and Taxi:

Commissioner Molnar moved to deny the motion for late file protest by Yellow Cab. Commissioner Toole seconded the motion, which passed unanimously.

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

GREG JERGSON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, June 29, 2007, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Brad Molnar, Commissioner via telephone
Ken Toole, Commissioner

Commissioner Raney gave his proxy to Commissioner Jergeson.

APPEARANCE

Mike Lee, Utility Division

(260) In the matter of the Commission's discussion of FCC 07J-2, CC 96-45, WC 05-337 – The FCC's Federal State Joint Board on Universal Service Seeks Comment on Long Term, Comprehensive High-Cost Universal Service:

Commissioner Mood moved to direct staff to file the draft reply comments by July 2, 2007 with minor editing as necessary. Commissioner Toole seconded the motion, which passed unanimously.

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

GREG JERGESON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Judy Scheier
Assistant Commission Secretary

(SEAL)