

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 24, 2007, the following members were present:

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

APPEARANCE

Eric Eck, Utility Division

(284) In the matter of D2007.6.71-Black Hills Power. On June 27, 2007 Black Hills Power filed a Quarterly Fuel Rate Rider application.

Commissioner Mood moved to Grant Black Hills Power's Quarterly Fuel Rate Rider application. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(285) In the matter of TN2345. Cary M Sarles dba Park County Transportation, Livingston, Montana requests permission to suspend PSC No. 9456 for a period of forty-five days, July 17, 2007 to August 31, 2007.

Commissioner Raney moved to approve suspension as requested. Commissioner Mood seconded the motion, which passed unanimously.

(286) In the matter of the approval of Commission Minutes for the week of July 16, 2007.

Commissioner Mood moved to approve the Commission Minutes for the week of July 16, 2007. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(287) In the matter of the Commission's discussion of the Joint Application of 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.

Commissioner Raney moved that we not rehear and reopen this matter that the Commission schedule a work session and act on the final order discussed on May 22, 2007. Commissioner Mood seconded the motion, which passed unanimously.

Commissioner Molnar moved to deny the petitions for intervention of Law Debenture Trust and Magten Asset Management as moot. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Legal Division

Mike Lee, Utility Division

(288) In the matter of the Commission's discussion of D2007.4.37-Swiftel, LLC application for ETC Designation.

Commissioner Raney moved to dismiss the Swiftel Application without Prejudice and close docket D2007.4.37. Commissioner Toole seconded the motion, which passed unanimously.

(289) In the matter of the Commission's discussion of D2007.2.18-MTPCS, LLC, dba Chinook Wireless. Motion for Protective Order.

Commissioner Raney moved to grant the Protective Order in D2007.2.18 concerning business plan, customer count and related information. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator, Legal Division

Phil Cooke, Tina Shorten and Lori Sandru, Consumer Division

(290) In the matter of the Commission's discussion of N2007.7.76 and N2007.7.78-NorthWestern Energy Medical Emergency Rule Application;

Commissioner Toole moved to accept a payment arrangement in N2007.7.76 of \$100.00 per month for a period of four months at which time the payment arrangement would change to current bill plus \$150.00 per month until balance is paid in full. Commissioner Raney seconded the motion, which passed unanimously.

Commissioner Mood moved to contact Mrs. Dobbins and inform her that she must pay 1/3 of the balance plus current charges for the next 3 months until the balance is paid in full in D2007.7.78. Commissioner Toole seconded the motion, which passed unanimously.

Commissioner Toole moved to instruct staff to begin drafting amendments to ARM 38.5.1411. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Utility Division

(291) In the matter of the Commission's discussion of D2003.7.86 (et.al), D2006.6.94 and D2007.6.59-NorthWestern Energy ' 03,' 04, ' 05 (consolidated), ' 06 and ' 07 Annual Qualifying Facility Avoided Cost Dockets;

Commissioner Toole moved the times for intervenor and all subsequent procedural events in the current schedule in D2006.6.94 are temporarily suspended. The time for pending discovery requests, discovery responses, and responsive pleadings related to discovery are not suspended. Commission action on the CELP motion to vacate the schedule is deferred. Commissioner Raney seconded the motion, which passed unanimously.

(292) In the matter of the Commission discussion of D2007.4.33-Firelight Meadows and HLH sale of water and sewer utility.

Commissioner Raney Moved to grant the protective order as requested in D2007.4.33. Commissioner Jergeson 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:

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 Thursday, July 26, 2007, the following members were present:

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

Commissioner Ken Toole left his proxy with Commissioner Raney.

APPEARANCE

Mike Lee, Utility Division

(293) In the matter of the Commission's discussion of D2004.1.6 - Triangle Communication System, Inc. (Tri-Com, or TCS) – Application for ETC designation and to redefine study areas:

Commissioner Raney moved to deny the MTA and Montana Consumer Council's motions for reconsideration and to issue a final order with the necessary edits and clarifications including the two indicated today. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Legal Division

(294) In the matter of the Commission's discussion of D2004.1.6, N2006.8.118 – Triangle Communications – ETC Designation, ETC Certification:

Commissioner Mood moved to accept Triangle Communication's request for certification as an ETC for receipt of federal universal service funds to the FCC and USAC. Commissioner Molnar 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)