

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, May 29, 2008, the following members were present:

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

APPEARANCE

Nickie Eck, Transportation Division

(184) In the matter of TN2394 – Lewis & Clark Transit System LLC, Apache Junction, Arizona requests cancellation of PSC No. 9450 effective immediately.

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

(185) In the matter of approval of the Commission's minutes of the week of May 19, 2008;

Commissioner Toole moved to approve the Commission's minutes for the week of May 19, 2008. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Dave Burchett, Utility Division

(186) In the matter of the Commission's discussion of D2004.4.61 – Phantom Hills Water Company – application to establish initial water rates and charges for water service;

Commissioner Mood moved to suspend Procedural Order #6570a in Docket D2004.4.61. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Leroy Beeby, Utility Division

(187) In the matter of the Commission's discussion of D2008.2.15 – Stillwater Utility, LLC – application implement initial rates and charges in its Kalispell, Montana service area;

Commissioner Toole moved to approve the Interim Order with recommended corrections. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE
Al Brogan, Legal Division

(188) In the matter of the Commission's discussion of D2007.7.82– NorthWestern Energy – in the matter of NorthWestern Energy's application for approval for authority to establish increased natural gas and electric delivery service rates – Marks Lumber's Petition for later Intervention:

Commissioner Raney moved to grant Marks Lumber's Petition for late intervention in Docket D2007.7.82 for Phase II allocated cost of service/rate design. Commission Toole seconded the motion, which passed unanimously.

(189) In the matter of the Commission's discussion of D2006.6.94 and D2007.6.59 (Consolidated) – NorthWestern Energy, application for approval of 2006 [and 2007] Avoided Cost Compliance Filing:

Commissioner Toole moved to deny Colstrip Energy Limited Partnership's motion to bifurcate QFLT-1 rate portion, and move to grant NWE's motion for interim rates; and move to suspend the procedural schedule in the consolidated docket. Commissioner Molnar seconded the motion, which passed unanimously.

(190) In the matter of the Commission's discussion of D2008.4.36 - NorthWestern Corporation's compliance with Order 6505e; consider and act on Montana Consumer Counsel's motion for an order compelling production and for related relief:

Commissioner Molnar moved to overrule NorthWestern Corporation's overboard and burdensome objections to MCC-001 (b), MCC-002, MCC-003, MCC-005, MCC-006, MCC-007, and MCC-008 and direct NorthWestern to make complete responses and provide a privilege log for each data request by June 13, 2008; to overrule NorthWestern's objection to MCC-010 and MCC-017 and direct NorthWestern provide the requested documents, along with a privilege log for any documents withheld, by June 13, 2008, and to state that the commission will adjust the procedural schedule if the Montana Consumer counsel determines that it needs to file supplemental testimony. 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:

Judy Scheier
Assistant Commission Secretary

(SEAL)