

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, January 13, 2009, the following members were present:

Ken Toole, Vice Chair
Gail Gutsche, Commissioner
Brad Molnar, Commissioner
John Vincent, Commissioner

Commissioner Jergeson was absent, but left his proxy with Commissioner Toole.

APPEARANCE
Gary Duncan, Utility Division

(11) In the matter of D97.4.64: Qwest Corporation has filed a Triennial Review Order amendment to the existing interconnection agreement between Qwest and Verizon in Docket No. D97.4.64.

Commissioner Vincent moved to APPROVE the Triennial Review Order interconnection agreement amendment between Qwest Corporation and Verizon in Docket No. D97.4.64. Commissioner Gutsche seconded the motion, which passed unanimously.

(12) In the matter of D2004.1.13: Interconnection Agreement Amendment-Qwest Corporation/Sprint Communications Company, L.P.-VoIP Amendment. Qwest has filed a Voice over Internet Protocol amendment to the existing interconnection agreement between the parties in Docket No. D2004.1.13.

Commissioner Molnar moved to APPROVE the interconnection agreement amendment between Qwest Corporation and Sprint Communications Company, L.P. in Docket No. D2004.1.13. Commissioner Vincent seconded the motion, which passed unanimously.

(13) In the matter of D2001.1.7: Qwest Corporation has filed a TRO/TRRO amendment to the existing interconnection agreement between Qwest and McLeod USA Telecommunications Services, Inc. in Docket No. D2001.1.7.

Commissioner Gutsche moved to APPROVE the TRO/TRRO interconnection agreement amendment between Qwest Corporation and McLeodUSA Telecommunications Services, Inc. in Docket No. D2001.1.7. Commissioner Vincent seconded the motion, which passed unanimously.

(14) In the matter of D2008.6.64: Qwest Corporation/XO Communications Services, Inc.- Interconnection Agreement Amendment. Qwest Corporation filed a "Collocation Bay Procurement" amendment between the parties in Docket No. D2008.6.64.

Commissioner Vincent moved to APPROVE the interconnection agreement amendment between Qwest Corporation and XO Communications Services, Inc. in Docket No. D2008.6.64. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(15) In the matter of T-08.41.ST: On November 24, 2008 R Double S, LLC d/b/a Miles City Sanitation Service, Miles City, Montana submitted an application to transfer PSC No. 9418 to Miles City Sanitation Service, LLC, Miles City Montana.

Commissioner Molnar moved to APPROVE the transfer of PSC No. 9418. Commissioner Gutsche seconded the motion, which passed unanimously.

(16) In the matter of T-08.42.ST: On November 24, 2008, Ricky D. Rost and Harry Ellis, a Partnership d/b/a Disposal Service Company, Miles City, Montana filed as application to transfer PSC No. 9439 to Miles City Sanitation Service LLC, Miles City, Montana.

Commissioner Molnar moved to APPROVE the transfer of PSC No. 9439. Commissioner Vincent seconded the motion, which passed unanimously.

(17) In the matter of TN2428: Cary M. Sarles d/b/a Park County Transportation, Livingston, Montana requests to continue the suspension of PSC No. 9456 for an additional two month period, January 4, 2009 to March 4, 2009.

Commissioner Vincent moved to APPROVE the continued suspension of PSC No. 9456. Commissioner Molnar seconded the motion, which passed unanimously.

(18) In the matter of TN2429: Dick Irvin, Inc., Shelby, Montana requests permission to continue the lease of PSC No. 9392 to Irvin, Inc. and Mico, Inc. d/b/a I & T Transfer, Shelby Montana for a one year period, January 6, 2009 to January 6, 2010.

Commissioner Molnar moved to APPROVE the continued lease of PSC No. 9392. Commissioner Gutsche seconded the motion, which passed unanimously.

(19) In the matter of the approval of Commission Minutes for the week of January 5, 2009:

Commissioner Molnar moved to APPROVE the Commission Minutes for the week of January 5, 2009. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(20) In the matter of the Commission's discussion in Docket No. D2008.1.3: Qwest/Ronan/Hot Springs. To consider Ronan/Hot Springs Motion in Limine.

Commissioner Toole moved to GRANT Ronan/Hot Springs Motion in Limine in Docket No. D2008.1.3. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(21) In the matter of the Commission's discussion in Docket No. D2008.5.44: NorthWestern Energy annual application for approval of monthly gas cost tracker true-up.

Commissioner Molnar moved to GRANT the motion for protection of yearly forecast storage volume targets, hard target prices and volumes associated with hedging strategies in Docket No. D2008.5.44. Commissioner Toole seconded the motion, which passed unanimously.

(22) In the matter of the Commission's discussion in Docket No. N2008.12.138: NorthWestern Energy Natural gas biennial procurement plan.

Commissioner Molnar moved to GRANT the motion for protective order for protection of yearly forecast storage volume targets, hard target prices, and volumes associated with hedging strategies in Docket No. N2008.12.138. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,
Utility Division

(23) In the matter of the Commission's discussion of Out of State travel for Phil Cooke.

Commissioner Gutsche moved to APPROVE the request for out-of-state travel to allow Phil Cooke to attend the annual meeting of the NARUC Consumer Affairs Subcommittee which will be held in conjunction with the NARUC Winter Meeting in Washington, D.C., February 15-18. Commissioner Vincent seconded the motion, which passed unanimously.

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

GREG JERGSON, Chair

KEN TOOLE, Vice Chair

GAIL GUTSCHE, Commissioner

BRAD MOLNAR, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart
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 Wednesday, January 14, 2009, the following members were present:

Ken Toole, Vice Chair
Gail Gutsche, Commissioner
Brad Molnar, Commissioner
John Vincent, Commissioner, via telephone

Commissioner Jergeson was absent, but left his proxy with Commissioner Toole.

APPEARANCE
Jim Paine, Legal Division

(24) In the matter of the Commission's discussion of Senate Bill 178 and House Bill 220.

MOTION 1: Commissioner Toole moved to OPPOSE Senate Bill 178. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

MOTION 2: Commissioner Toole moved to OPPOSE House Bill 220. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

(25) In the matter of the Commission's discussion in D2008.1.3: Ronan/Hot Springs request for PTO.

Commissioner Molnar moved to GRANT the staff's recommendation for Protective Order for customer proprietary network information (CPNI) in Docket No. D2008.1.3. Commissioner Toole seconded the motion, which passed unanimously.

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

GREG JERGESON, Chair

KEN TOOLE, Vice Chair

GAIL GUTSCHE, Commissioner

BRAD MOLNAR, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

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(SEAL)