

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, March 31, 2009, the following members were present:

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

APPEARANCE

Gary Duncan, Utility Division

(137) In the matter of N2009.3.35: On March 18, 2009, Citizens Telecommunications Company d/b/a Frontier Communications of Montana filed for Commission approval an Individual Case Basis agreement between Frontier and the Troy Public Schools.

Commissioner Gutsche moved to APPROVE the Individual Case Basis agreement between Citizens Telecommunications Company d/b/a Frontier Communications of Montana and the Troy Public Schools in Docket N2009.3.35. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Utility Division

(138) In the matter of N2009.3.33: On March 13, 2009, Central Montana Communications requested changes in their tariff.

Commissioner Vincent moved to APPROVE Central Montana Communications request in Docket N2009.3.33. Commissioner Gutsche seconded the motion, which passed unanimously.

(139) In the matter of N2009.3.34: On March 13, 2009, CenturyTel filed advice No. 09-01.

Commissioner Toole moved to APPROVE CenturyTel's advice No. 09-01 in Docket D2009.3.34. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(140) In the matter of TN2436: Flathead Area Custom Transportation, Inc., d/b/a Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana requests permission to suspend PSC No. 56 for a period of six months, March 24, 2009, to September 24, 2009.

Commissioner Toole moved to APPROVE the suspension as requested. Commissioner Molnar seconded the motion, which passed unanimously.

(141) In the matter of TN2437: Flathead Area Custom Transportation, Inc. d/b/a Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana requests permission to suspend PSC No. 9364 for a period of six months, March 24, 2009 to September 24, 2009.

Commissioner Toole moved to APPROVE the suspension as requested. Commissioner Vincent seconded the motion, which passed unanimously.

(142) In the matter of the approval of Commission Minutes for the week of March 23, 2009:

Commissioner Toole moved to APPROVE the Commission Minutes for the week of March 23, 2009. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,  
Utility Division

(143) In the matter of the Commission's discussion of NARUC:

Commissioner Vincent moved to have the chairman SIGN the NARUC letter regarding the broadband stimulus package on behalf of the Commission. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Molnar voted no.

(144) In the matter of the Commission's discussion of Federal Energy Independence and Security Act of 2007.

Commissioner Toole moved to ISSUE a notice of inquiry and opportunity to comment, solicit written comments followed by a technical workshop and referral of consideration on PURPA waste energy standards. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Brian Dekiep, Utility Division  
Jim Paine, Legal Division

(145) In the matter of the Commission's discussion in Docket No. D2009.1.6: Petitioners Ron Tussing and Paul Williamson street/outdoor lighting rulemaking petition.

MOTION 1: Commissioner Toole moved to ISSUE draft order and DENY the motion to strike in Docket No. D2009.1.6. Commissioner Gutsche seconded the motion, which passed unanimously.

MOTION 2: Commissioner Vincent moved to DENY the petition for rule making submitted by petitioners and direct staff to initiate a round table process on potential rulemaking on LED lighting culminating in a decision on rule making on or about May 31, 2009, in Docket No. D2009.1.6. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,  
Utility Division

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

Commissioner Gutsche moved to GRANT Mike Lee's travel to Portland, OR, for three Conservation Resources Advisory Committee meetings, April 17, 2009, May 15, 2009, and June 19, 2009, and Kate Whitney's travel to the Regional Oversight Committee meeting in Denver, CO, April 23-24, 2009. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,  
Utility Division  
Wayne Budt, Administrator  
Transportation & Centralized Services Division  
Al Brogan, Legal Division  
Sarah Carlson, Public Relations

(147) In the matter of the Commission's discussion of House Bill 343 for the 2009 Legislative Session:

Commissioner Jergeson moved to REMOVE the Commission's opposition to the HB 343 and place it in monitor status. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(148) In the matter of the Commission's discussion in Docket No. D2008.4.36/CDV 2009-148: Commissioner Molnar moved to AUTHORIZE staff to participate in non binding settlement negotiations with NorthWestern Energy in CDV 2009-148. Commissioner Toole seconded the motion, which passed unanimously.

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

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GREG JERGSON, Chair

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KEN TOOLE, Vice Chair

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GAIL GUTSCHE, Commissioner

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BRAD MOLNAR, Commissioner

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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 Thursday, April 2, 2009, the following members were present:

Greg Jergeson, Chair  
Ken Toole, Vice Chair  
Gail Gutsche, Commissioner  
Brad Molnar, Commissioner

Commissioner Vincent was absent.

APPEARANCE

Greg Jergeson, Chairman

(149) In the matter of the Commission's discussion of Western Area Power Administration's request for comments on its proposed transmission infrastructure program:

Commissioner Molnar moved to SUBMIT a letter to the Transmission Infrastructure Program modeled after the letters submitted by Colorado and Utah. Commissioner Gutsche seconded the motion, which passed 4-0.

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

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GREG JERGESON, Chair

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KEN TOOLE, Vice Chair

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GAIL GUTSCHE, Commissioner

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BRAD MOLNAR, Commissioner

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JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart  
Commission Secretary

(SEAL)