

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 9, 2009, the following members were present:

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

APPEARANCE

Eric Eck, Utility Division

(150) In the matter of D2009.3.30: On March 6, 2009, NorthWestern Corporation filed a Petition for Authority to Assume Affiliate Obligations.

Commissioner Molnar moved to GRANT NorthWestern's request to withdraw the Petition. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Utility Division

(151) In the matter of N2009.3.36: On March 16, 2009, Qwest filed for Commission approval a Multi-State Agreement between Qwest and RBC Capital Markets Corporation.

Commissioner Molnar moved to APPROVE the Multi-State Agreement between Qwest Corporation and RBC Capital Markets Corporation in Docket No. N2009.3.36. Commissioner Toole seconded the motion, which passed unanimously.

(152) In the matter of N2009.3.37: On March 18, 2009, Verizon Business Service filed Transmittal Letter No. 09-01.

Commissioner Toole moved to APPROVE Verizon Business Service Transmittal Letter No. 09-01 in Docket N2009.3.37. Commissioner Molnar seconded the motion, which passed unanimously.

(153) In the matter of N2009.3.40: On March 23, 2009, Qwest LD Corporation filed Tariff Transmittal QLDC09-01.

Commissioner Vincent moved to APPROVE Qwest LD Corporation Tariff Transmittal QLDC09-01 in Docket N2009.3.40. Commissioner Toole seconded the motion, which passed unanimously.

(154) In the matter of N2009.3.41: On March 23, 2009, Qwest Communications Co., LLC filed Tariff Transmittal QCC09-02.

Commissioner Vincent moved to APPROVE Qwest Communications Co., LLC's Tariff Transmittal QCC09-02 in Docket N2009.3.41. Commissioner Toole seconded the motion, which passed unanimously.

(155) In the matter of D2009.3.42: On March 23, 2009, Qwest filed Tariff Transmittal 09-02.

Commissioner Vincent moved to APPROVE Qwest's Tariff Transmittal 09-02 in Docket N2009.3.42. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(156) In the matter of T-09.22.ST: On February 11, 2009, Howard Harper, as personal representative for Mary Belle Harper d/b/a Livingston Taxi, Livingston, Montana filed an application to transfer PSC No. 9466 to Carrie Ann Johnson d/b/a Amazing Taxi, Livingston, Montana.

Commissioner Vincent moved to APPROVE the transfer of PSC No. 9466 as requested. Commissioner Gutsche seconded the motion, which passed unanimously.

(157) In the matter of T-09.12.OTSC: On March 17, 2009, the Commission cancelled PSC No. 8924, Kindred Nursing Centers West, LLC, d/b/a Parkview Acres Care & Rehabilitation Center, Dillon, Montana for failure to purchase a 2009 vehicle registration receipt.

Commissioner Vincent moved to REINSTATE PSC No. 8924 as requested. Commissioner Toole seconded the motion, which passed unanimously.

(158) In the matter of approval of Commission Minutes for the week of March 30, 2009:

Commissioner Toole moved to APPROVE the Commission Minutes for the week of March 30, 2009. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(159) In the matter of the Commission's discussion of N2009.3.29: Avista's Motion to protect the Schedule 16 information in its annual report to the Commission (top ten Montana salaries).

Commissioner Toole moved to GRANT the protective order regarding the salary information. Commissioner Molnar seconded the motion, which passed unanimously.

(160) In the matter of the Commission's discussion of concerned citizens of Virginia City, MT: Twenty Five citizens signed a petition asking the Commission to review Virginia City's water and sewer rates.

Commissioner Molnar moved to DIRECT staff to issue a procedural schedule on the question of water and sewer rates in Virginia City. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Utility Division

(161) In the matter of D2009.1.3: Stillwater Utilities. Transfer to Stillwater Estates County Water District.

Commissioner Toole moved to AUTHORIZE the transfer of ownership of Stillwater Utilities LLC to Stillwater Estates County Water District as requested in Docket D2009.1.3 and to close Docket D2008.2.15. Commissioner Vincent seconded the motion, which passed unanimously.

(162) In the matter of D2008.10.123: HLH interim rate relief request:

Commissioner Vincent moved to ISSUE the draft Order No.6972a in Docket No.D2008.10.123 subject to minor editing changes. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(163) In the matter of D2008.12.146: Updated QF-1 Avoided Cost Filing.

Commissioner Toole moved to ORDER NorthWestern Energy to respond to the PSC's data requests within fourteen days of the date the order was issued. Commissioner Gutsche seconded the motion, which passed unanimously.

(164) In the matter of D2008.12.146: In the Matter of NorthWestern Energy's application for Approval of Avoided Cost Tariff for New Qualifying Facilities.

Commissioner Vincent moved to DENY MSIRG's motion to compel with respect to MSIRG 008-a and MSIRG 008-c and COMPEL an answer on MSIRG 008-d. Commissioner Toole seconded the motion, which passed 4 to 1. Commissioner Molnar voted no.

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:

Judy Scheier
Assistant Commission Secretary

(SEAL)