

Minutes for the week of February 1, 2010

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, February 2, 2010, the following members were present:

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

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(40) In the matter of TN2458: On December 15, 2009 a lease of PSC No. 3584 was approved. The lessee has amended their business name and the lease has been modified. C.B. Geier, Helena, Montana requests that the lease be approved as amended between himself and Tiger Express of Montana Inc., Helena, Montana for the period December 15, 2009 to December 15, 2010.

Commissioner Toole moved to APPROVE the lease as amended. Commissioner Vincent seconded the motion, which passed unanimously.

(41) In the matter of TN2465: Big Sky Transfer and Storage, Inc., Great Falls Montana requests permission to lease PSC No. 2406 to Mergenthaler Transfer & Storage Co., Inc., Helena, Montana for the period of January 28, 2010 to January 28, 2011.

Commissioner Jergeson moved to APPROVE the lease of PSC No. 2406 as requested. Commissioner Toole seconded the motion, which passed unanimously.

(42) In the matter of the approval of the Commission Minutes for the week of January 25, 2010.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of January 25, 2010. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist and Mike Lee Utility Division

(43) In the matter of the Commission's discussion of D2009.9.129 & D2007.7.82: To discuss/act on whether NorthWestern Energy's application, as supplemented, is sufficient.

No action was taken, information only.

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APPEARANCE

Kate Whitney, Administrator, Utility Division

(44) In the matter of the Commission's discussion of N2010.1.7: PSC-initiated inquiry regarding consideration of establishing a ring-fencing policy.

Commissioner Toole moved to ISSUE a notice for a round table and a request for comments. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Eric Dahlgren, Utility Division

(45) In the matter of the Commission's discussion of D2003.8.109: NorthWestern Energy – an investigation of NorthWestern Energy's financial and related transactions with NorthWestern Corporation, its affiliates and creditors that may impair its financial solvency and public utility service obligations (Liberty Audit).

MOTION 1: Commissioner Toole moved to CLOSE the Liberty Audit, and close Docket No. D2003.8.109. Commissioner Vincent seconded the motion, which passed unanimously.

MOTION2: Commissioner Toole moved to DIRECT staff to develop a comprehensive monitoring program for all regulated electric utilities in Montana. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(46) In the matter of the Commission's discussion of Governor Schweitzer's inquiry into PSC jurisdiction over Keystone XL Pipeline:

Commissioner Molnar moved to SEND a letter to Keystone XL Pipeline and attaching the memo prepared by Justin Kraske telling them they need to file an application for common carrier status with the Montana Public Service Commission. Commissioner Vincent seconded the motion, which passed unanimously.

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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:

Judy Scheier
Assistant Commission Secretary

(SEAL)