

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 2, 2010, the following members were present:

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

Commissioner Gutsche was absent and left proxy with Commissioner Toole.

APPEARANCE
Scott Fabel, Utility Division

(58) In the matter of N2010.2.16: On February 15, 2010, Verizon filed Transmittal Letter No. 10-01 Grandfather Savings Plan.

Commissioner Vincent moved to APPROVE Verizon's Transmittal Letter No. 10-01 in Docket N2010.2.16. Commissioner Toole seconded the motion, which passed unanimously.

(59) In the matter of N2010.2.17: On February 15, 2010, CenturyLink filed advice No. 10-01.

Commissioner Toole moved to APPROVE CenturyLink's Advice No. 10-01 in docket N2010.2.17. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(60) In the matter of the approval of Commission Minutes for the week of February 22, 2010.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of February 22, 2010. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Justin Kraske, Legal Division
Phil Cooke, Tina Shorten and Lori Sandru, Utility Division

(61) In the matter of the Commission's discussion of requested adoption of the Medical Exception Rule.

Commissioner Vincent moved to APPROVE filing the rulemaking adoption notice with the Secretary of State's Office, subject to minor editing effective April 1, 2010, and direct staff to notify impacted customers. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Utility Division

(62) In the matter of the Commission's discussion in Docket No. D2008.3.27: Energy West Montana, approval of acquisition of Cut Bank Gas by Energy West, extension of time to file initial tracker until March 15, 2010.

Commissioner Toole moved to GRANT Energy West Montana's Motion for extension of time to file its annual true up until March 15, 2010 in Docket No. D2008.3.27. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division
Leroy Beeby, Utility Division

(63) In the matter of the Commission's discussion in Docket No. D2009.12.155: NorthWestern Energy Motion for Reconsideration.

MOTION 1: Commissioner Molnar moved to ACCEPT for reconsideration paragraph 15 of Order 7057a. Motion failed for a lack of a second.

MOTION 2: Commissioner Jergeson moved to GRANT NorthWestern Energy's motion for reconsideration with respect to Colstrip Unit 4 portion of Order 7057a and DENY NorthWestern Energy's Motion for Reconsideration with respect to paragraph 15 of Order 7057a first in-first out accounting in Docket No. D2009.12.155. Commissioner Toole seconded the motion, which passed unanimously.

MOTION 3: Commissioner Jergeson moved to ISSUE the draft order on reconsideration as an order of the commission subject to non substantive edits in Docket No. D2009.12.155. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(64) In the matter of the Commission's discussion in Docket No. D2009.9.129 and D2007.7.82: NorthWestern Energy application for authority to establish increased natural gas and electric delivery service rates and implement allocated cost of service and rate design proposals.

MOTION 1: Commissioner Toole moved to GRANT NorthWestern Energy's Motion for Protective Order of forecast financial information as described in the motion in Docket Nos. D2009.9.129 and D2007.7.82. Commissioner Molnar seconded the motion, which passed unanimously.

MOTION 2: Commissioner Toole moved to GRANT NorthWestern Energy's Motion for a Protective Order of state and federal income tax returns for 2006, 2007, and 2008, and waive ARM 38.2.507(3)(c) requirements for an affidavit in Docket Nos.D2009.9.129 and D2007.7.82. Commissioner Vincent seconded the motion, which passed unanimously.

MOTION 3: Commissioner Toole move to GRANT NorthWestern Energy's Motion to Withdraw Testimony in PRC-1 line 13; PRC-3 lines 8-13; PRC-4 lines 1 through PRC-5 line 13; PRC-5 a portion of lines 21-25; PRC-6, a portion of line 13; and PRC-11, a portion of line 22 relating to the allocated cost of service settlement discussion in Docket No. D2007.7.82. Commissioner Vincent seconded the motion, which passed unanimously.

MOTION 4: Commissioner Toole moved to SUSTAIN NorthWestern Energy's renewed objection to PSC 225a-c and e in Docket No. D2007.7.82. Commissioner Vincent seconded the motion, which passed unanimously.

MOTION 5: Commissioner Vincent moved to OVERRULE NorthWestern Energy's objections to PSC-345a and PSC-348a, and compel NorthWestern Energy to provide the documents requested in Docket No. D2007.7.82. Commissioner Toole seconded the motion, which passed unanimously.

MOTION 6: Commissioner Toole moved to GRANT MCC's Motion to Compel and order NorthWestern Energy to provide copies of all documents requested to the Commission and all parties and to submit for electronic filing a specific description of the documents but not the actual documents in Docket No. D2007.7.82. Commissioner Vincent 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:

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, March 3, 2010, the following members were present:

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

Commissioner Gutsche was absent and left proxy with Commissioner Toole.

(65) In the matter of the Commission's discussion of Public Service Commission's interest in reporting on projects filed under the Major Facility Siting Act to the Montana Department of Environmental Quality.

Commissioner Molnar moved to DIRECT staff to do research and correspondence with the Department of Environmental Quality on how this process as contemplated in the statute is to work, what our access would be to the process, and what the standards are for the financial support that is in it, and report to the Commission. 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:

Verna Stewart
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(SEAL)