

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 23, 2010, the following members were present:

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

Commissioner Molnar was absent, but left his proxy with Commissioner Gutsche.

APPEARANCE
Eric Eck, Utility Division

(83) In the matter of D2010.2.19: On February 23, 2010, NorthWestern Corporation filed an application seeking authority to refinance up to \$225 million of Montana first mortgage bonds maturing on November 1, 2014 and issue a like principal amount of new first mortgage bonds.

Commissioner Toole moved to GRANT NorthWestern Corporation's request to refinance \$225 million of Montana first mortgage bonds. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Scott Fabel, Utility Division

(84) In the matter of N2010.3.21: On March 1, 2010, CenturyLink filed letter No. 10-02.

Commissioner Vincent moved to APPROVE CenturyLink's Letter No. 10-02 in Docket N2010.3.21. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Gary Duncan, Utility Division

(85) In the matter of D2000.6.89: Qwest Corporation/Sprint Spectrum, L.P. Qwest has filed for approval with this Commission an amendment to the existing wireless interconnection agreement between the parties in Docket No. D2000.6.89.

Commissioner Vincent moved to APPROVE the interconnection agreement amendment between Qwest Corporation and Sprint Spectrum, L.P. in Docket No. D2000.6.89. Commissioner Molnar seconded the motion, which passed unanimously.

(86) In the matter of D2000.11.200: Qwest Corporation/OneEighty Communications, Inc. Qwest has filed for approval with this Commission an amendment to the existing interconnection agreement between the parties in Docket No. D2000.11.200.

Commissioner Toole moved to APPROVE the interconnection agreement amendment between Qwest Corporation and One Eighty Communications, Inc., in Docket No. D2000.11.200. Commissioner Vincent seconded the motion, which passed unanimously.

(87) In the matter of D2004.1.13: Qwest Corporation/Sprint Communications Company, L.P. Qwest has filed for approval with this Commission an amendment to the existing interconnection agreement between the parties in Docket No. D2004.1.13.

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

(88) In the matter of D2006.8.123: Qwest Corporation/Bresnan Broadband of Montana, LLC. Qwest filed for approval with this Commission an amendment to the existing interconnection agreement between the parties in Docket No. D2006.8.123.

Commissioner Vincent moved to APPROVE the interconnection agreement amendment between Qwest Corporation and Bresnan Broadband of Montana, LLC in Docket No. D2006.8.123. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(89) In the matter of TN2468: Fred M Zweifel d/b/a Circle Z Enterprises, Virginia City, Montana requests permission to continue the suspension of PSC No. 9270 for the period March 14, 2010 to May 8, 2010.

Commissioner Vincent moved to APPROVE suspension of PSC No. 9270 as requested. Commissioner Toole seconded the motion, which passed unanimously.

(90) In the matter of TN2469: Brian David Parks d/b/a Medicab, Missoula, Montana requests permission to lease PSC No. 9199 to Medicab LLC Missoula, Montana for a six month period, March 23, 2010 to September 23, 2010 pending completion of a transfer proceeding.

Commissioner Gutsche moved to APPROVE the lease of PSC No. 9199 as requested. Commissioner Vincent seconded the motion, which passed unanimously.

(91) In the matter of the approval of Commission Minutes for the week of March 15, 2010.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of March 15, 2010. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Jim Paine, Legal Division

(92) In the matter of the Commission's discussion of Utility company executive compensation.

Commissioner Toole moved to ISSUE a Notice of Public Hearing on the proposed rule. Commissioner Vincent seconded the motion, which passed 4-1. Commissioner Molnar voted No by proxy, after phone conferencing failed.

APPEARANCE
Justin Kraske for Al Brogan, Legal Division

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

Commissioner Toole moved to GRANT NorthWestern Energy's motion for protective order covering its 5-year projection of NorthWestern Energy's capital structure in Docket Nos. D2009.9.129 and D2007.7.82. Commissioner Jergeson seconded the motion, which passed 4-1. Commissioner Vincent voted no.

APPEARANCE
Jim Paine, Legal Division
Gary Duncan, Utility Division

(94) In the matter of the Commission's discussion in Docket No. D2009.12.162 and D2010.1.3: Qwest Corporation, Partners Telecom, Inc., and Citynet Arizona, LLC interconnection agreements.

Commissioner Toole moved to APPROVE the Qwest Corporation/Partners Telecom, Inc., interconnection agreement in Docket No. D2009.12.162; and the Qwest Corporation and Citynet Arizona, LLC, interconnection agreement in Docket No. D2010.1.3. Commissioner Gutsche seconded the motion, which passed unanimously.

(95) In the matter of the Commission's discussion in Docket No. D2009.5.74: AT&T, Sprint, Verizon's request for waiver of MCA in §69-3-805(1)(e).

Commissioner Toole moved to issue an order to APPROVE AT&T, Sprint, Verizon's request for waiver of the tariff and price list filing requirements in §69-3-807(1)(e), MCA, and meets the predicate requirements of §69-3-805, MCA, in Docket No. D2009.5.74. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,
Utility Division

(96) In the matter of the Commission's discussion of out of state travel:

Commissioner Toole moved to APPROVE (1) Brian Dekiep's travel to Portland, Oregon on April 22-23, 2010 for meetings of CREPC and the State-Provincial Steering Committee; (2) Gary Duncan's travel to Denver, Colorado on April 22-23, 2010 for the Regional Oversight Committee meeting; and (3) Kim Moran's travel to Carmel, Indiana March 28-31, 2010 for an OMS/CARP meeting. Commissioner Gutsche 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)