

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, June 15, 2010, the following members were present:

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

Commissioner Gutsche was excused, and left her proxy with Commissioner Toole.
Commissioner Molnar was excused, but left an incomplete proxy with Commissioner Jergeson.

APPEARANCE
Scott Fabel, Utility Division

(182) In the matter of N2010.5.54: On May 27, 2010, Central Montana Communications requested to modify its tariff.

Commissioner Vincent moved to APPROVE Central Montana Communication's request in Docket N2010.5.54. Commissioner Toole seconded the motion, which passed 4-0.
Commissioner Molnar not voting.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(183) In the matter of the approval of Commission Minutes for the week of June 7, 2010.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of June 7, 2010. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Molnar not voting.

APPEARANCE
Will Rosquist, Utility Division

(184) In the matter of the Commission's discussion in Docket No. D2010.6.58: BPA residential exchange credit rate adjustment.

Commissioner Toole moved to APPROVE the interim BPA application for residential exchange rate credit in Docket No. D2010.6.58. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Gutsche and Commissioner Molnar voted Aye by proxy.

APPEARANCE

Jim Paine, Legal Division

(185) In the matter of the Commission's discussion in Docket No. D2010.2.14: Complainants Doty, et al. Motion for Reconsideration.

Commissioner Toole moved to DENY Complainant's Motion for Reconsideration as untimely filed in Docket No. D2010.2.14. Commissioner Jergeson seconded the motion, which passed unanimously. Commissioner Gutsche and Commissioner Molnar voted Aye by proxy.

(186) In the matter of the Commission's discussion in Docket No. D2009.4.56: MDU cost of service and rate design filing.

Commissioner Jergeson moved to ADOPT the order as drafted disposing of all issues in the filing in Docket No. D2009.4.56. Commissioner Toole seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

APPEARANCE

Justin Kraske, Legal Division

(187) In the matter of the Commission's discussion in Docket No. D2010.3.22: TransCanada Keystone Pipeline. Recognition as a regulated common carrier.

Commissioner Jergeson moved to ISSUE an order requiring Keystone to refile a complete application accepting all the provisions of Chapter 13 of Title 69; DENY the Motion for Intervention by Continental as moot upon the adequate filing of a complete application from TransCanada. Commissioner Toole seconded the motion, which passed unanimously. Commissioner Gutsche and Commissioner Molnar voted Aye by proxy.

APPEARANCE

Kate Whitney, Administrator,
Utility Division

(188) In the matter of the Commission's discussion of Environmental Quality Council request for comments on draft legislation.

Commissioner Vincent moved to SUBMIT the letter as drafted to the Environmental Quality Counsel on LC7001. Commissioner Toole seconded the motion, which passed unanimously. Commissioner Gutsche and Commissioner Molnar voted Aye by proxy.

APPEARANCE

Gary Duncan, Utility Division

(189) In the matter of the Commission's discussion of FCC USF Reform NOI and NPRM. Filing comments in the FCC proceeding on USF reform.

Commissioner Vincent moved that the Commission will plan on FILING reply comments in the proceeding and staff and Commissioners will work on those comments between now and filing. Commissioner Toole seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

APPEARANCE

Robin McHugh, Administrator, Legal Division

(190) In the matter of the Commission's discussion of Public Service Commission mid-year tax increase.

Commissioner Jergeson moved to APPROVE the order as drafted subject to minor editing indicated by Robin. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

(191) In the matter of the Commission's discussion of staff travel.

Commissioner Toole moved to APPROVE travel for Jim Paine to attend a renewable energy conference in Seattle on August 5-6, 2010. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

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 Friday, June 18, 2010, the following members were present:

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

APPEARANCE

Will Rosquist and Neil Templeton, Utility Division
Al Brogan, Legal Division

(192) In the matter of the Commission's discussion in Docket No.D2008.12.146: NorthWestern Energy application for approval of avoided cost tariff for new qualifying facilities. MSIRG and Montana Consumer Counsel motions for reconsideration and motions to strike.

MOTION 1: Commissioner Toole moved to DENY the motions for reconsideration in Docket No. D2008.12.146. Commissioner Jergeson seconded the motion which passed 4-1. Commissioner Molnar voted no.

SUBSTITUTE MOTION: Commissioner Molnar moved to GRANT Montana Consumer Counsel's motion for reconsideration in Docket No. D2008.12.146. Commissioner Vincent seconded the motion, which failed 1-4. Commissioners Jergeson, Toole, Vincent and Gutsche voted no.

(193) In the matter of the Commission's discussion in Docket No. D2010.2.18: Kenfield Wind Park I, LLC and KWP-LC7,LLC petition to set terms and conditions for qualifying small power production facility pursuant to §69-3-603, MCA.

MOTION 1: Commissioner Toole moved to DETERMINE that Kenfield Wind Park, I, LLC is a single 20 megawatt project in Docket No. D2010.2.18. Commissioner Vincent seconded the motion which passed unanimously.

MOTION 2: Commissioner Gutsche moved to ADOPT Option 2 as recommended by Staff in Docket No. D2010.2.18. Commissioner Toole seconded the motion, which passed unanimously.

MOTION 3: Commissioner Vincent moved that the rates be based upon avoided cost rate methodology in a previous order including the assumption of 38 percent capacity factor in Docket No. D2010.2.18. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE
Greg Jergeson, Chairman

(194) In the matter of the Commission's discussion of Public Service Commission Reorganization Plan.

MOTION 1: Commissioner Vincent moved to ADOPT the Public Service Commission reorganization plan presented by the Chair and Vice-Chair that was distributed on June 14, and assign position #42100020 to the Executive Director position in the plan. Commissioner Toole seconded the motion which passed 4-1. Commissioner Molnar voted no.

MOTION 2: Commissioner Jergeson moved to APPROVE appointment of Robin McHugh as interim executive director, effective Monday, June 21, 2010, for a term ending December 31, 2010. This position will be exempt at a total annual salary of \$83,135.00. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Molnar voted no.

MOTION 3: Commissioner Toole moved to APPROVE the appointment of Al Brogan as Administrator of the Legal Division, effective Monday, June 21, 2010. This position will be exempt at a total annual salary of \$77,742.00. Commissioner Gutsche seconded the motion, which passed unanimously.

MOTION 4: Commissioner Gutsche moved to ISSUE the internal vacancy announcements for the Bureau Chief of the new Engineering, Transportation and Pipelines Bureau, and the Bureau Chief of the new Public Policy/Regional Transmission Bureau. Both positions to be filled as exempt positions with selections to be made and announced by June 29, 2010, effective June 28, 2010. Commissioner Vincent seconded the motion which passed 4-1. 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:

Verna Stewart
Commission Secretary

(SEAL)