

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 19, 2011, the following members were present:

Gail Gutsche, Vice Chairman, via telephone
Bill Gallagher, Commissioner
Brad Molnar, Commissioner, via telephone
John Vincent, Commissioner, Acting Chair

Travis Kavulla was excused, but left his proxy with Commissioner Gutsche.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(190) In the matter of the approval of Commission Minutes for the week of March 28, 2011.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of March 28, 2011. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Joel Tierney, Regulatory Division

(191) In the matter of N98.8.185: On April 14, 2011, the Montana League of Cities and Towns requested the Commission cancel its gas supplier license.

Commissioner Vincent moved to APPROVE cancellation of the Montana League of Cities and Town's gas supplier license. Commissioner Molnar seconded the motion, which passed unanimously.

(192) In the matter of N98.9.200: On April 4, 2011, the City of Helena requested the Commission cancel its gas supplier license.

Commissioner Gallagher moved to APPROVE cancellation of the City of Helena's gas supplier license. Commissioner Gutsche seconded the motion, which passed unanimously.

(193) In the matter of N2011.1.9: On March 28, 2011, Montana-Dakota Utilities requested approval of Rate 53, cost schedule for movement of structures.

Commissioner Molnar moved to APPROVE Montana Dakota Utilities Rate 53. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Eric Dahlgren, Regulatory Division

(194) In the matter of TN2499: Donald P. Emery d/b/a Kootenai Transfer & Storage, Libby,

Montana, requests permission to suspend PSC No. 2075 effective April 12, 2011, to October 12, 2011.

Commissioner Gutsche moved to APPROVE suspension as requested. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Mike Dalton, Regulatory Division

(195) In the matter of the Commission's discussion in D2011.1.4 and D2011.1.6: Qwest Verizon Wireless and Qwest-Nexus Communications interconnection agreements.

Commissioner Vincent moved to APPROVE the Qwest and Verizon Wireless interconnection agreement in Docket No. D2011.1.4, and Qwest-Nexus Communications interconnection agreement in Docket No. D2011.1.6. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Administrator, Legal Division

(196) In the matter of the Commission's discussion in N2011.2.17: Ronan Telephone Company application for term protection of confidential forbearance contracts.

Commissioner Gallagher moved to GRANT Ronan Telephone Company's motion for term protective order solely on the basis that CPNI is required to be protected by federal law in Docket No. N2011.2.17. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Eric Eck, Regulatory Division

(197) In the matter of the Commission's discussion in Docket No. D2008.8.95: NorthWestern Energy Mill Creek Generating Station, request to lower interim rates.

Commissioner Gutsche moved to GRANT NorthWestern Energy's motion to revise interim rates in Docket No. D2008.8.95. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(198) In the matter of the Commission's discussion in FERC Docket ER10-1138: NorthWestern Energy's Schedule 3 allocation of Mill Creek costs to provide regulation service.

Commissioner Gutsche moved to APPROVE Jim Paine's travel and attendance at the May 9, 2011 FERC settlement conference. Commissioner Molnar seconded the motion, which passed

unanimously.

APPEARANCE

Justin Kraske, Legal Division
Leroy Beeby, Regulatory Division

(199) In the matter of the Commission's discussion in D2008.12.142: Townsend Propane gas tracker.

Commissioner Vincent moved to APPROVE Order No. 6968b in Docket No. D2008.12.142. Commissioner Gutsche seconded the motion, which passed 3-1. Commissioner Molnar voted Nay. Commissioner Gallagher abstained.

APPEARANCE

Justin Kraske, Legal Division
Leroy Beeby, Regulatory Division

(200) In the matter of the Commission's discussion in Docket No. D2009.12.156: Aquanet, Inc., application for approval to establish initial rates for water service in its Oakridge Subdivision, Billings, Montana service area.

Commissioner Molnar moved to CANCEL the tentative hearing date of April 21, 2011 and DIRECT staff to reschedule the hearing date in Docket No. D2009.12.156. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(201) In the matter of the Commission's discussion in Docket No. D2009.9.117: Landmark Water Company application for authority to increase rates and charges, and establish a pass through mechanism for water service and joint motion for ruling on hearing procedures.

Commissioner Vincent moved to APPROVE the motion as amended by staff in Docket No. D2009.9.117. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Sarah Norcott, Legal Division

(202) In the matter of the Commission's discussion in Docket No. D2010.9.98: Treeline Springs, LLC., application to increase rates for water and wastewater service.

Commissioner Vincent moved to ISSUE an order GRANTING Treeline Springs' motion and finding that the application, testimony and exhibits be admitted in the record at the hearing as well as the settlement agreement, and that the parties do not have to file pre-hearing memorandums or post hearing briefs, and the parties are requested to have witnesses at the hearing available by telephone if not physically present at the hearing in Docket No. D2010.9.98.

Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Staci Litschauer, Administrator, Centralized Services

David DeGil, Information Systems

(203) In the matter of the Commission's discussion of Scanner purchase.

MOTION 1: Commissioner Gutsche moved to SET an \$8,000 ceiling for purchase of a scanner. Commissioner Vincent seconded the motion. No vote taken.

SUBSTITUTE MOTION: Commissioner Gallagher moved to DIRECT staff to continue their search and at a subsequent work session present the unit and package they feel would best serve the Commission's needs. Commissioner Vincent seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

TRAVIS KAVULLA, Chairman (absent)

GAIL GUTSCHE, Vice Chairperson

W. A. (Bill) GALLAGHER, Commissioner

GAIL GUTSCHE, Commissioner

JOHN VINCENT, Commissioner (Acting
Chair)

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)