

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 25, 2011, the following members were present:

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

APPEARANCE

Aleisha Solem, Commission Secretary

(406) In the matter of the approval of Commission Minutes for the week of October 17, 2011.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of October 17, 2011. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Eric Eck, Regulatory Division

(407) In the matter of Docket No. D2011.9.83: Black Hills Power's quarterly fuel rate rider application.

Commissioner Molnar moved to APPROVE Black Hills Power's quarterly fuel rate rider application. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(408) In the matter of Docket No. N2011.7.65: Proposed electric line extension tariff reflecting refund period changing from 5 years to 10 years for residential customers.

Chairman Kavulla moved to DIRECT NorthWestern Energy to file revised tariff by December 14, 2011. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby and Neil Templeton, Regulatory Division  
Justin Kraske, Legal Division

(409) In the matter of Docket No. D2011.9.78: Application of Energy West Montana to make interim adjustments final and to reconcile the gas cost tracking mechanism by decreasing rates by \$273,574.

Chairman Kavulla moved to APPROVE the Interim Order. Commissioner Vincent seconded the

motion, which passed unanimously.

APPEARANCE

Mike Dalton, Regulatory Division

(410) In the matter of Docket No. N2011.9.75: Montana Dakota Utilities request to revise the applicability of the off peak hours for Rate 13.

Chairman Kavulla moved to APPROVE Montana Dakota Utilities' request to revise the Optional Residential Thermal Energy Storage Rate 13. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(411) In the matter of Motor Carrier Rules: Adopt the proposed amendments and one repeal as originally published.

Commissioner Molnar moved to ADOPT the proposed notice of adoption. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Sarah Norcott, Legal Division  
Neil Templeton, Regulatory Division

(412) In the matter of Docket No.'s D2011.6.54, D2010.6.62, and D2009.7.95: Application for approval of 2011 avoided cost compliance filing.

Commissioner Gutsche moved to GRANT NorthWestern Energy's motion for interim rate adjustment in Docket D2011.6.54 and to CONSOLIDATE Dockets D2011.6.54, D2010.6.62, and D2009.7.95 with the consolidated avoided cost compliance filing dockets. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Commissioner Molnar

(413) In the matter of PSC initiated rulemaking on below cost sales in QF contracts.

Commissioner Molnar moved to DIRECT staff to issue a notice of proposed rulemaking. The motion died for a lack of second.

APPEARANCE

Dennis Lopach, Chief Legal, Legal Division

(414) In the matter of NARUC request for proposals for capacity assistance.

Chairman Kavulla moved to DIRECT staff to submit a proposal to NARUC on RFP. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(415) In the matter of out of state staff travel.

Commissioner Gutsche moved to APPROVE the staff travel request. Chairman Kavulla seconded the motion, which passed unanimously.

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

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TRAVIS KAVULLA, Chairman

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GAIL GUTSCHE, Vice Chair

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W. A. GALLAGHER, Commissioner

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BRAD MOLNAR, Commissioner

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JOHN VINCENT, Commissioner

ATTEST:

Aleisha Solem  
Commission Secretary

(SEAL)