

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on November 8, 2011, the following members were present:

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

APPEARANCE

Aleisha Solem, Commission Secretary

(423) In the matter of the approval of Commission Minutes for the week of October 31, 2011.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of October 31, 2011. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Regulatory Division

(424) In the matter of Docket No.N2011.10.90: Montana Dakota Utilities application seeking authority to accumulate the under and over collections of MPSC and MCC taxes.

Chairman Kavulla moved to APPROVE Montana Dakota Utilities' application in Docket No. N2011.10.90. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Mike Dalton, Regulatory Division

(425) In the matter of Docket No.'s D2011.8.72, D2011.8.71, and D2011.8.73: Interconnection Agreement between Qwest d/b/a CenturyLink and Adams Technology Group; Qwest and Wholesale Carrier Services; and Qwest and 365 Wireless, LLC.

Commissioner Gutsche moved to APPROVE the interconnection agreements between Qwest and the various entities in Docket No's D2011.8.72, D2011.8.71, and D2011.8.73. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Sarah Norcott, Legal Division
Will Rosquist, Regulatory Division

(426) In the matter of Docket No. D2010.7.77: NorthWestern Energy's application for approval of avoided cost tariff for new qualifying facilities.

Commissioner Gutsche moved to APPROVE NorthWestern Energy's motion for reconsideration. Commissioner Vincent seconded the motion, which passed unanimously.

Commissioner Vincent moved to DENY NorthWestern Energy's requested relief to modify Option 1(c) wind rate. Commissioner Gutsche seconded the motion which passed 3 to 2. Commissioners Molnar and Gallagher dissenting.

APPEARANCE

Jim Paine, Legal Division

(427) In the matter of Docket No.'s D2005.11.163 and D2005.11.164: Utility Solutions general rate case.

Chairman Kavulla moved to APPROVE the draft order and stipulation and to DIVIDE the motion into two parts, the first being the Motion for Disqualification of Commissioner John Vincent and the second being to act on the stipulation and draft order. Commissioner Gutsche seconded the motion, which passed unanimously.

The Commission DENIED the Motion for Disqualification of Commissioner John Vincent by a vote of 5 to 0.

The Commission APPROVED the stipulation and draft order by a vote of 4 to 1. Commissioner Vincent dissenting.

APPEARANCE

Jason Brown, Legal Division

(428) In the matter of Docket No. D2011.6.53: Invenergy Wind Development of Montana, LLC's motion for protective order.

Commissioner Gutsche moved to APPROVE Invenergy's motion for protective order in Docket No. D2011.6.53. Commissioner Molnar seconded the motion, which passed unanimously.

(429) In the matter of Docket No. D2011.6.46: Electric City Power, Inc.'s settlement offer.

Commissioner Gallagher moved to DEFER the settlement decision with regard to the settlement until the Commission has decided on the application waiver. Commissioner Molnar seconded the motion, which failed 2 to 2. Commissioner Kavulla was recused.

Commissioner Vincent moved to APPROVE the settlement offer. Commissioner Gutsche seconded the motion, which failed 2 to 2. Commissioner Kavulla was recused.

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

TRAVIS KAVULLA, Chairman

GAIL GUTSCHE, Vice Chair

W. A. GALLAGHER, Commissioner

BRAD MOLNAR, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

Aleisha Solem
Commission Secretary

(SEAL)