

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, December 13, 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

(452) In the matter of the approval of Commission Minutes for the week of December 5, 2011.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of December 5, 2011. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division
Justin Kraske, Legal Division
Kate Whitney, Administrator, Regulatory Division
Dennis Lopach, Administrator, Chief Legal Counsel

(453) In the matter of Docket No. D2011.1.8: Approval of the sale and transfer of stock in Park Water Company.

Commissioner Gutsche moved to APPROVE the draft order with a change to paragraph number 72 of the order as described by staff. Commissioner Vincent seconded the motion, Commissioner Gallagher moved to amend the motion to REJECT the application for the right to purchase Park Water. Commissioner Molnar seconded the motion, which was ruled out of order.

Commissioner Gutsche's motion to APPROVE passed 3 to 2. Commissioners Molnar and Gallagher dissenting.

APPEARANCE

Sarah Norcott and Jim Paine, Legal Division

(454) In the matter of Docket No. D2011.5.41: Application for approval to purchase and operate the Spion Kop Wind Project.

Commissioner Vincent moved to APPROVE the motion and direct staff to organize Dr. Wilson's telephonic participation in the hearing. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

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

(455) In the matter of Docket No. D2010.9.90: Motions for reconsideration by EWM and MCC.

Chairman Kavulla moved to RECONSIDER the Final Order 7132c. Commissioner Gutsche seconded the motion, which passed unanimously.

Chairman Kavulla moved to AFFIRM Final Order 7132c and DRAFT an order on reconsideration consistent with the staff memo with the additional instruction to EWM to include either capital asset pricing model or discount cash flow analysis in future rate cases. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Commissioner Brad Molnar
Dennis Lopach, Administrator, Chief Legal Counsel
Brian DeKiep, Regulatory Division

(456) In the matter of MISO MVP: Consider joining OMS and/or individually intervening in the 7th District court of Appeals against the FERC Order and Order on rehearing approving the MISOs MVP cost allocation filings.

Commissioner Vincent moved to REJECT intervening in the 7th District court and join OMS comments. Commissioner Gutsche seconded the motion. The motion was amended to APPROVE joining OMS comments, which passed unanimously.

Commissioner Molnar moved to APPROVE intervening in the 7th District court. Chairman Kavulla seconded the motion which passed unanimously.

APPEARANCE

Chairman Kavulla
Staci Litschauer, Administrator, Centralized Service Division
Kate Whitney, Administrator, Regulatory Division
Dennis Lopach, Administrator, Chief Legal Counsel

(457) In the matter of proposed agency pay plan, career ladders proposal, changing FTE PR relations specialist position to Policy Analyst, and changing FTE Executive Director position to Communications Director.

Commissioner Gutsche moved to ACCEPT the proposed agency pay plan, DIRECT Kate and Dennis to prepare career ladders TURN the classified FTE Public Relations Specialist into a Policy Analyst position and TURN the FTE Executive Director into a Communications/Research

Director position. Chairman Kavulla seconded the motion, which passed 4 to 1. Commissioner Molnar dissenting.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division
Dennis Lopach, Administrator, Chief Legal Counsel

(458) In the matter of out of state staff travel for Sarah Norcott, Jim Paine and Dagan Lynch to the Annual National Conference on Current Issues in integrating renewable in challenging economic times, electric utility rate cases conference in Las Vegas, NV, Feb. 2-3, 2012.

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

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)