

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, January 10, 2012, 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

- (3) In the matter of the approval of Commission Minutes for the week of January 2, 2012.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of January 2, 2012. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

- (4) In the matter of TN2524: Application to suspend PSC No. 9463 for a six month period from January 11, 2012 to July 11, 2012.

Commissioner Vincent moved to APPROVE the suspension of PSC No. 9463. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Regulatory Division

- (5) In the matter of Docket No. D2008.1.6: CenturyLink d/b/a Qwest non-compliance with PSC FO No. 6889n- Appendix F- DSL Investment Plan.

Commissioner Gallagher moved to DIRECT staff to draft a letter to CenturyLink for Commission signature informing CenturyLink that the Commission expects complete compliance with AFOR DSL deployment plan by September 1, 2012 and mentioning the possibility of a \$1,000 per day fine or decertification of CenturyLink as an ETC. Chairman Kavulla seconded the motion, which passed unanimously.

- (6) In the matter of Docket No. D2008.1.6: CenturyLink d/b/a Qwest St. Mary DSL deployment.

Commissioner Gallagher moved to DIRECT staff to file comments with Glacier Park regarding the CenturyLink tower proposal. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit
Kate Whitney, Administrator, Regulatory Division
Dennis Lopach, Administrator, Legal Division

(7) In the matter of Compliance with 69-12-328 MCA: Discuss issuance of grandfather charter certificates.

MOTION 1: Commissioner Molnar moved to ISSUE the certificates of Public Convenience and Necessity to the seven charter certificates that meet the criteria and DENY the two that did not meet the criteria without penalty from the enforcement officers until July 1, 2012, and DIRECT staff to work with the two in non-compliance to expedite splitting their authority or request for PCN. Commissioner Gutsche seconded the motion.

MOTION 2: Commissioner Vincent moved to amend the motion to GRANT the certificates of Public Convenience and Necessity to all nine charter applicants. The motion died for a lack of a second.

MOTION 3: Commissioner Gallagher moved to POSTPONE action on compliance with 69-12-328, MCA until the January 17, 2012 work session. Chairman Kavulla seconded the motion, which passed 4 to 1. Commissioner Molnar dissenting.

APPEARANCE

Michael Dalton, Regulatory Division

(8) In the matter of Docket No. D2011.9.86: CenturyLink QC Interconnection Agreement.

Commissioner Gallagher moved to APPROVE the Interconnection Agreement. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Dennis Lopach, Administrator, Legal Division

(9) In the matter of FERC Docket ER10-1138-001: NorthWestern Energy's OATT Schedule 3 filing.

MOTION 1: Commissioner Gutsche moved to DESIGNATE Commissioner Kavulla and Dennis Lopach or Jim Paine to represent the Commission at the FERC hearing, and to have their travel expenses PAID FOR out of the budgets for consulting funds and ARRA, contingent on ARRA money being available for that purpose. Commissioner Vincent seconded the motion, which passed unanimously.

MOTION 2: Chairman Kavulla moved to DEFER to legal counsel on questions of filings of motions and participating in the FERC docket. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Commissioner Molnar

Chairman Kavulla

Kate Whitney, Administrator, Regulatory Division

Dennis Lopach, Administrator, Legal Division

Will Rosquist, Regulatory Division

(10) In the matter of Line Extension Tariffs: Discuss initiating a rulemaking process regarding utilities' line extension tariffs.

Commissioner Molnar moved to BEGIN the informal rulemaking process to standardize electric utility line extension tariffs in the State of Montana. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Commissioner Molnar

Kate Whitney, Administrator, Regulatory Division

Dennis Lopach, Administrator, Legal Division

Will Rosquist, Regulatory Division

(11) In the matter of NorthWestern Energy electric line extensions in 2011.

Commissioner Molnar moved that NorthWestern Energy be DIRECTED, after PSC review, to send a letter to all who received line extensions notifying them of complaint process with NorthWestern Energy office and PSC staff if resolution is not reached. The motion died for a lack of a second.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(12) In the matter of out of state staff travel: Dave Jackson's travel to Seattle, WA February 21-24, 2012, for rail safety training required for his certification.

Chairman Kavulla moved to APPROVE the out of state staff travel. Commissioner Gutsche 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)