

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 31, 2012, the following members were present:

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

APPEARANCE

Judy Scheier, Assistant Commission Secretary

(31) In the matter of the approval of Commission Minutes for the week of January 23, 2012.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of January 23, 2012. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Regulatory Division

(32) In the matter of N2012.1.10: Project Telephone Company's project specific TECOM tariff addendum.

Commissioner Gutsche moved to APPROVE the Project specific TECOM and MILEC tariff addendum in Docket No. N2012.1.10. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(33) In the matter of TN2526: Big Sky Transfer and Storage, Inc. lease of PSC No. 2406 to Mergenthaler Transfer & Storage Co.

Chairman Kavulla moved to APPROVE the lease of PSC No. 2406 as requested. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Dennis Lopach, Administrator, Legal Division
Justin Kraske, Legal Division
Staci Litschauer, Administrator, Centralized Service Division

(34) In the matter of the Commission's discussion of email policy and record's request:

MOTION 1. Commissioner Vincent moved that as of January 31, 2012, all PSC Commissioner email is public information and is AVAILABLE to the public on requests within 15 working days of the request. A privacy provision, if any, for unsolicited emails to a commissioner, and charges, if any, to be determined would be sent by the Commission within 30 days.

Commissioner Gutsche seconded the motion. The motion was extinguished as a result of the amended subsidiary motion's passage.

Commissioner Gallagher moved to REFER the question and the email policy and records request matter as a whole to the policy review committee to do further work on it and to DISPENSE with standing email requests by providing information free of charge. Commissioner Molnar seconded the motion.

Chairman Kavulla moved to AMEND Commissioner Gallagher's motion to adopt the staff recommended email policy as an interim policy to apply to standing requests and more that are submitted until another policy can be put in place, with additional amendments to the staff policy that reflect that electronic media can be used to defray costs of photocopying, and that compliance with records requests occur within 30 days. Commissioner Gutsche seconded the motion, which passed 4 to 1. Commissioner Molnar dissenting.

AMENDED MOTION TO REFER TO COMMITTEE AND ADOPT AN INTERIM POLICY. The question was called on the amended motion of Commissioner Gallagher, which passed 4 to 1. Commissioner Molnar dissenting.

APPEARANCE

Staci Litschauer, Administrator, Centralized Service Division

(35) In the matter of the Commission's discussion of out-of-state travel for Joel Tierney and Angie Hall.

Commissioner Vincent moved to APPROVE out of state travel for Joel Tierney and Angie Hall. 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:

Judy Scheier
Assistant Commission Secretary

(SEAL)