

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 10, 2012, the following members were present:

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

APPEARANCE

Aleisha Solem, Commission Secretary

(103) In the matter of the approval of Commission Minutes for the week of April 2, 2012.

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

APPEARANCE

Joel Tierney, Regulatory Division

(104) In the matter of Docket No. N2012.3.29: Montana-Dakota Utilities Co.'s requested approval of Rate 53.

Chairman Kavulla moved to APPROVE MDU's Rate 53. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(105) In the matter of T-12.1.ST: Rod Rick dba PS Limo Service's application to transfer PSC No. 9433 to Signature Limousines, Inc.

Chairman Kavulla moved to APPROVE the transfer of PSC No. 9433. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(106) In the matter of T-12.3.ST: NPK Turf Services, Inc. dba Dumpy Drawers' application to transfer PSC No. 9475 to Dame Nue, Inc. dba Dump Drawers.

Commissioner Vincent moved to APPROVE the transfer of PSC No. 9475. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division  
Nickie Eck, Transportation Unit

(107) In the matter of the proposed rule on motor carrier minimum insurance levels.

Commissioner Molnar moved to PUBLISH the rules notice. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division  
Justin Kraske, Legal Division

(108) In the matter of Docket No. D2011.5.36: NorthWestern Energy's 2011 gas tracker.

Commissioner Vincent moved to APPROVE the final order subject to minor non-substantive changes. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel & Neil Templeton, Regulatory Division  
Jason Brown, Legal Division

(109) In the matter of Docket No. D2011.5.38: NorthWestern Energy's electric supply tracker.

Commissioner Gutsche moved to APPROVE the final order with staff's recommended changes to numbers 33 and 43. Commissioner Vincent seconded the motion, which passed 3 to 1. Commissioner Molnar dissenting. Commissioner Gallagher abstaining.

APPEARANCE

Will Rosquist, Regulatory Division

(110) In the matter of Docket No. D2008.8.95: NorthWestern Energy's compliance with Order No. 6943e.

Commissioner Gutsche moved to GRANT NorthWestern Energy 30 additional days to submit a plan for studying jurisdictional contribution to regulation requirements. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist, Regulatory Division  
Dennis Lopach, Administrator, Legal Division

(111) In the matter of MAR Notice 38-5-214.

Commissioner Molnar moved to ISSUE the notice with changes to the words "comment" or

"commenter" 1 through 9 to "special interests". The motion died for a lack of a second.

Commissioner Molnar moved to ISSUE the notice and change 10 MW to 2 MW. Commissioner Gallagher seconded the motion.

Chairman Kavulla moved to POSTPONE indefinitely pending suggestions for rulemaking forthcoming from an overarching administrative rules review. Commissioner Gutsche seconded the motion which passed 3 to 2. Commissioners Gallagher and Molnar dissenting.

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)