

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 1, 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

(120) In the matter of the approval of Commission Minutes for the week of April 23, 2012.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of April 23, 2012. Commissioner Gutsche seconded the motion, which passed 4 to 0.

APPEARANCE

Scott Fabel, Regulatory Division

(121) In the matter of Docket No. N2012.4.43: CenturyLink QC tariff transmittal 12-01.

Commissioner Gutsche moved to APPROVE CenturyLink QC tariff transmittal 12-01. Commissioner Vincent seconded the motion, which passed 4 to 0.

APPEARANCE

Scott Fabel, Regulatory Division

(122) In the matter of Docket No. N2012.4.44: CenturyLink tariff transmittal 12-02.

Commissioner Vincent moved to APPROVE CenturyLink tariff transmittal 12-02. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division

(123) In the matter of Docket No. N2011.12.96: NorthWestern Energy's 2011 electric supply resource procurement plan.

Commissioner Gutsche moved to GRANT NorthWestern Energy's motion for Protective Order in part and DENY the information on page 194 of the procurement plan regarding NorthWestern Energy's full hedging planning cycle. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(124) In the matter of Docket No. D2012.3.20: Energy West Inc.'s application for waiver of ring-fencing requirements and for authorization to engage in financing transactions.

Chairman Kavulla moved to APPROVE extending the deadline for the Commission to review Energy West Inc.'s application for 30 days. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Commissioner Gallagher

(125) In the matter of Transmission siting.

Commissioner Vincent moved to DIRECT staff to draft a letter containing the material as presented asking ETIC to consider the issue. Commissioner Gallagher seconded the motion, which passed 3 to 2. Chairman Kavulla and Commissioner Gutsche dissenting.

APPEARANCE

Gary Duncan, Regulatory Division

Dennis Lopach, Administrator, Legal Division

(126) In the matter of Docket No. N2012.4.42: FCC ordered transitional terminating intrastate access rate reduction.

Chairman Kavulla moved to APPROVE the NCA with an added sentence regarding the 10th circuit appeal if that occurs, and clarification that we retain jurisdiction citing the FCC order over intrastate rates. Commissioner Gutsche seconded the motion.

MOTION TO AMEND: Commissioner Molnar moved to DIRECT staff to draft a letter to ILECs advising them of the tariff filing requirements. Commissioner Vincent seconded the motion, which passed unanimously.

The main motion as amended passed unanimously.

APPEARANCE

Gary Duncan, Regulatory Division

Dennis Lopach, Administrator, Legal Division

(127) In the matter of FCC 11-161, 10th Circuit No. 11-9900, late intervention.

Chairman Kavulla moved to APPROVE filing for late intervention. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(128) In the matter of Out of state staff travel for Leroy Beeby and Justin Post.

Commissioner Vincent moved to APPROVE out of state travel for Leroy Beeby and Justin Post to travel to Albuquerque, NM, May 13-18, 2012. Commissioner Gutsche seconded the motion, which passed unanimously.

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)