

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, July 26, 2012, the following members were present:

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

APPEARANCE

Brenda Koch, Assistant Commission Secretary

(221) In the matter of the approval of Commission Minutes for the week of July 16, 2012.

Commissioner Gallagher moved to APPROVE the Commission Minutes for the week of July 16, 2012. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(222) In the matter of Staff Out of State Travel: Dave Jackson's travel to Pasco, Washington, July 29 to August 3, 2012. Dave Jackson will receive the necessary training with the FRA to complete the yard air and blue flag certification on power units.

Commissioner Vincent moved to APPROVE Dave Jackson's travel to Pasco, Washington, July 29 to August 3, 2012. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

(223) In the matter of D2012.6.70: On June 18, 2012, Black Hills Power filed a Quarterly Fuel Rate Rider application.

Commissioner Molnar moved to GRANT Black Hills Power's Quarterly Fuel Rate Rider application. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division

(224) In the matter of the Commission's discussion in Docket Nos. D2012.5.57, D2012.5.58, and D2012.5.62: Approve draft default orders in D2012.5.57 and D2012.5.58, Phillips 66 Pipeline, LLC, D2012.5.62, Yellowstone Pipe Line Company.

Commissioner Kavulla moved to APPROVE Draft Default orders as proposed with corrections discussed. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Brian DeKiep and Bob Decker, Regulatory Division
Jason Brown, Legal Division

(225) In the matter of the Commission's discussion in Docket No.D2012.3.24: Montana Dakota Utilities Motions for Reconsideration (of Order 7221) and Rehearing.

MOTION 1: Commissioner Kavulla moved to GRANT reconsideration. Commissioner Gallagher seconded the motion, which passed unanimously.

MOTION 2: Commissioner Gallagher moved to ISSUE an order on reconsideration adopting staff's recommendation certifying all three facilities. The motion died for a lack of a second.

MOTION 3: Commissioner Kavulla move to ISSUE an order on reconsideration that issues another notice in this matter, establishes a procedural schedule and requests the testimony of Theresa Addison and any other employee of Montana Dakota Utilities that the applicant wishes to present in adducing further evidence that would lead the commission to make a judgment other than the order that the Order on reconsideration now stays. Commissioner Vincent seconded the motion which passed 4-1. Commissioner Gallagher dissenting.

APPEARANCE

Jason Brown, Legal Division

(226) In the matter of the Commission's discussion in Docket No. N2012.5.56: Discuss and act on using ARRA funds to pay for Out of State Travel by panelists participating in the Public Workshop tentatively scheduled for August 21, 2012.

Commissioner Kavulla moved to APPROVE the use of ARRA funds to cover panelists' travel expenses. Commissioner Gutsche seconded the motion, which passed 3-2. Commissioner Molnar and Commissioner Gallagher dissenting.

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:

Brenda Koch
Assistant Commission Secretary

(SEAL)