

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, August 23, 2012, the following members were present:

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

APPEARANCE

Brenda Koch, Assistant Commission Secretary

(244) In the matter of the approval of Commission Minutes for the week of August 13, 2012.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of August 13, 2012. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(245) In the matter of T-12.9.PCN: Sherry Rae Vogel dba Eastern Montana Taxi and Transport, Baker, Montana submitted an application for a certificate of Public Convenience and Necessity on May 29, 2012.

Commissioner Molnar moved to APPROVE the granting of authority to Eastern Montana Taxi and Transport LLC. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(246) In the matter of T-12-13.PCN: On May 31, 2012, Chinook Disposal Service, Inc., Chinook, Montana submitted an application to amend the authority issued under PSC No. 1341 Sub B.

Commissioner Kavulla moved to APPROVE the grant of expanded authority to Chinook Disposal Service, Inc. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division

(247) In the matter of D2010.5.49: Discuss and Act on NorthWestern Energy's Motion for Reconsideration and amend Procedural Order 7219b, or in the Alternative, Motion for More Time.

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

MOTION 2: Commissioner Gutsche moved to ISSUE Notice of Commission Action amending the Procedural Order. Commissioner Gallagher seconded the motion which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division

(248) In the matter of D2012.4.39: Moonlight Basin/Treeline Springs Transfer of Assets.

Commissioner Vincent moved to GRANT the order to Approve Transfer of Assets. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division

(249) In the matter of D2012.1.3: NorthWestern Energy Application for Avoided Cost Tariff for New Qualifying Facilities. Discuss and Act on Objections to Data Requests.

Commissioner Kavulla moved to SUSTAIN the objection relative to the UMX data request #45, OVERRULE the Objection relative to Hydro and Solar Plexus #26 and SUSTAIN Objection relative to Hydro and Solar Plexus data request #27, and inasmuch as any finding is necessary on RNP, it is moot. Commissioner Gutsche seconded the motion.

Commissioner Vincent asked that the question be divided and, by unanimous consent, votes were taken separately on two parts of the motion

The Motion to SUSTAIN the objection relative to UMX #45 and OVERRULE Hydro and Solar Plexus #26 passed unanimously.

The Motion to SUSTAIN data request #27 as it relates to Hydro and Solar Plexus passed 3-2 with Commissioner Gutsche and Commissioner Vincent 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)