

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, September 6, 2012, the following members were present:

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

APPEARANCE

Brenda Koch, Assistant Commission Secretary

(255) In the matter of the approval of Commission Minutes for the week of August 27, 2012.

Commissioner Molnar moved to APPROVE the Commission Minutes for the week of August 27, 2012. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator Regulatory Division

(256) In the matter of Out of State Staff Travel: Joel Tierney, Elizabeth Kamback and John Torske to attend 2012 meeting of the National Association of Pipeline Safety Representatives, October 22-26, 2012, in Gettysburg, PA.

Commissioner Molnar moved to APPROVE staff travel. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Kate Whitney, Administrator, Regulatory Division
Scott Fabel and Leroy Beeby, Regulatory Division

(257) In the matter of D2012.3.20: Energy West Incorporated Application for waiver of ring-fencing requirements and for authorization to engage in financing transactions.

MOTION 1: Commissioner Kavulla moved to RECONSIDER the final order 7209c in Docket No. D2012.3.20. Commissioner Gutsche seconded the motion, which passed 3-2. Commissioner Gallagher and Commissioner Molnar voted No.

MOTION 2: Commissioner Molnar moved to REJECT the request for reconsideration from Energy West Incorporated and ISSUE an order that Energy West Montana provide the financing necessary to run and operate the Montana operations and none of the money, the equity, the cash flow of Montana be used to subsidize, cross subsidize or enlarge the debt for operations outside the State of Montana. Motion died for a lack of a second.

MOTION 3: Commissioner Kavulla moved to GRANT in part and DENY in part the motion for reconsideration and ISSUE the order as drafted with minor changes as needed. Commissioner Vincent seconded the motion, which passed 3-2. Commissioner Molnar and Commissioner Gallagher voted No.

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)