

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, September 25, 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

(270) In the matter of the approval of Commission Minutes for the week of September 17, 2012.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of September 17, 2012. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(271) In the matter of Docket Nos. D2012.9.97 and D2012.9.98: Pass-Through of fees levied on regulated companies for funding the Montana Consumer Counsel and the Public Service Commission.

Commissioner Vincent moved to ISSUE the orders as drafted. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Joel Tierney, Regulatory Division

(272) In the matter of Docket No. N2012.8.88: Big Sky Gas, LLC's application for a license to supply natural gas in Montana.

Chairman Kavulla moved to APPROVE the application. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(273) In the matter of T-11.14.PCN: Ursa Major, Inc's application for a certificate of public convenience and necessity.

Commissioner Vincent moved to APPROVE the closing of the docket and processing of refunds to the applicant and three protestants. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Dagan Lynch, Regulatory Division

(274) In the matter of Docket No. D2010.1.9: Big Mountain Water Company's request to defer implementation of the phase-in of the revenue requirement increase approved by the Commission in Order No. 7077h from October 1, 2012, to October 1, 2013.

Commissioner Vincent moved to APPROVE the deferral of the rate increase until October 1, 2013. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Joel Tierney, Regulatory Division

Justin Kraske, Legal Division

(275) In the matter of Docket No. D2012.7.78: Havre Pipeline's application to decrease rates and charges to its direct rural farmstead customers.

Chairman Kavulla moved to ISSUE the final order decreasing rates. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Mike Dalton and Will Rosquist, Regulatory Division

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

Chairman Kavulla moved to ADOPT the redline comments and amendments and ISSUE the draft comments to NWE. Commissioner Gutsche seconded the motion.

Commissioner Molnar moved to AMEND the following language into paragraph 19, "The Commission encourages NWE to inform the public of the cost to consumers of such regulations and legislation." Chairman Kavulla seconded the motion.

Commissioner Gutsche moved to AMEND the amendment to strike the suggested phrase in paragraph 19 and instead add the word "cost" in paragraph 29. The sentence would read, "NorthWestern Energy does not appear to be maximized dissemination of information to customers regarding the mixed and cost of resources." Commissioner Vincent seconded the motion which passed 4 to 1. Commissioner Molnar dissenting.

The motion to amend as amended passed 4 to 1. Commissioner Molnar dissenting.

Commissioner Gallagher moved to REMOVE the word “fallacious” from paragraph number 26. Chairman Kavulla seconded the motion, which passed unanimously.

Commissioner Molnar moved to REMOVE the first sentence of the new number 19. Commissioner Gallagher seconded the motion which failed 3 to 2. Commissioners Gallagher and Molnar dissenting.

The main motion as amended passed unanimously.

APPEARANCE
Brenda Elias, Legal Division

(277) In the matter of Docket No. D2010.2.14: Gruba, et al. vs. NorthWestern Energy.

Commissioner Gallagher moved to DENY the complainant's request for a hearing, and GRANT NorthWestern Energy's motion to suspend proceedings at the PSC. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Kate Whitney, Administrator, Regulatory Division
Brian DeKiep, Will Rosquist, and Bob Decker, Regulatory Division
Dennis Lopach, Administrator, Legal Division

(278) In the matter of FERC Docket ER10-1138: NorthWestern Energy Corporation schedule 3/Dave Gates Generating Station case.

No action was taken, as this work session was for briefing the Commission.

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:

Aleisha Solem
Commission Secretary

(SEAL)