

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on December 20, 2012, the following members were present:

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

APPEARANCE

Commissioner Gallagher
Justin Post, Communications/Research Director

(365) In the matter of the Montana linemen contribution to the Hurricane Sandy relief effort.

Commissioner Gallagher moved to APPROVE the resolution. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Aleisha Solem, Commission Secretary

(366) In the matter of the approval of Commission Minutes for the week of December 10, 2012.

Commissioner Gallagher moved to APPROVE the Commission Minutes for the week of December 10, 2012. Chairman Kavulla seconded the motion, which passed 4 to 0.

APPEARANCE

Nickie Eck, Transportation Unit

(367) In the matter of TN2554: Missoula County Health Services, Inc.'s application for cancellation of PSC 9408.

Commissioner Gutsche moved to APPROVE the withdrawal of the cancellation of PSC 9408. Commissioner Vincent seconded the motion, which passed 4 to 0.

APPEARANCE

Nickie Eck, Transportation Unit

(368) In the matter of TN2555: James A. Jones dba Oilfield Maintenance Company application for the continued lease of PSC No. 9297.

Chairman Kavulla moved to APPROVE the continuation of the lease of PSC No. 9297. Commissioner Vincent seconded the motion, which passed 4 to 0.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(369) In the matter of the out of state staff travel: Brian DeKiep's travel to Northern Tier Transmission Group's (NTTG) interregional stakeholders meeting on January 16-17, 2013 in Portland, OR and NTTG's semi-annual stakeholders meeting February 7, 2013, in Salt Lake City, and Tina Shorten's travel to the NARUC winter meeting, February 3-5, 2013 in Washington, DC.

Commissioner Vincent moved to APPROVE the out of state staff travel. Commissioner Gallagher seconded the motion, which passed 4 to 0.

APPEARANCE

Dagan Lynch, Regulatory Division

Justin Kraske, Legal Division

(370) In the matter of D2012.5.47: NorthWestern Energy's application for propane supply cost account balance amortization and rate adjustment.

Commissioner Vincent moved to APPROVE the final order. Commissioner Gallagher seconded the motion, which passed 4 to 0.

APPEARANCE

Gary Duncan, Regulatory Division

Justin Kraske, Legal Division

(371) In the matter of D2004.1.6: Triangle Communications System, Inc.'s petition for ETC designation.

Chairman Kavulla moved to SUSPEND the PSC August 7, 2007 Order No. 6723a 98% coverage requirement and the reporting requirements in the TCS redefined study area. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Regulatory Division

Justin Kraske, Legal Division

(372) In the matter of D2004.1.7: Sagebrush Cellular's petition for ETC designation.

Chairman Kavulla moved to APPROVE the 98% coverage requirement in the project service area as ordered in the PSC December 7, 2005 Order No. 6687a. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division

(373) In the matter of D2012.11.123: NorthWestern Energy's petition for certification of an eligible renewable resource.

Commissioner Molnar moved to GRANT the Petition. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division

(374) In the matter of D2012.9.94: NorthWestern Energy's application for authority to establish increased natural gas delivery service rates and allocated cost of service and rate design.

Commissioner Gallagher moved to APPROVE the protective order. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division
Leroy Beeby, Regulatory Division

(375) In the matter of D2012.12.124: NorthWestern Energy's annual tax tracker.

Commissioner Vincent moved to ISSUE a Notice of Commission Action indicating that the application may be in error. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Regulatory Division
Brenda Elias, Legal Division

(376) In the matter of D2008.1.6: PSC investigation of Qwest Corporation regarding the justness and reasonableness of rates, schedules and terms and conditions of service.

Commissioner Gallagher moved to APPROVE the alternative proposal. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division
Will Rosquist, Regulatory Division

(377) In the matter of D2012.1.3: NorthWestern Energy's application for approval of avoided cost tariff for new qualifying facilities.

Commissioner Vincent moved to DENY NWE's motion for reconsideration, stay, and clarification. Chairman Kavulla seconded the motion, which passed 3 to 2. Commissioners Molnar and Gallagher dissenting.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division
Staci Litschauer, Administrator, Centralized Services Division

(378) In the matter of Senate Bill 74 fiscal note.

Commissioner Vincent moved to ACCEPT the fiscal note as presented. The motion died for a lack of a second.

Commissioner Gallagher moved to CHANGE the fiscal note to reflect consulting fees of \$200 per hour for 600 hours. Chairman Kavulla seconded the motion, which passed 4 to 1. Commissioner Vincent dissenting.

APPEARANCE

Dennis Lopach, Administrator, Legal Division

(379) In the matter of NARUC/CFEBA legal summer internship.

Commissioner Gallagher moved to APPROVE the submission of a proposal to NARUC for a legal intern for a ten week appointment. Commissioner Molnar seconded the motion, which passed unanimously.

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)