

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on February 4, 2013, the following members were present:

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|------------------------------|-----------|
| Bill Gallagher, Chairman | |
| Bob Lake, Vice Chairman | |
| Kirk Bushman, Commissioner | via phone |
| Travis Kavulla, Commissioner | via phone |
| Roger Koopman, Commissioner | via phone |

APPEARANCE

Kate Whitney, Administrator, Regulatory Division
Justin Kraske, Legal Division

(39) In the matter of Legislative bills relevant to the PSC mission, statutory authority, administrative process and general agency concerns.

Commissioner Lake moved to SUPPORT SB 138 with a letter which includes a sentence stating this bill does not solve entirely for the unequal treatment of generating facilities. Commissioner Koopman seconded the motion, which passed unanimously.

Commissioner Lake moved to MONITOR SB 224. Commissioner Kavulla seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

W. A. GALLAGHER, Chairman

BOB LAKE Vice Chairman

KIRK BUSHMAN, Commissioner

TRAVIS KAVULLA, Commissioner

ROGER KOOPMAN, Commissioner

ATTEST:

Aleisha Solem
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on February 8, 2013, the following members were present:

Bill Gallagher, Chairman
Bob Lake, Vice Chairman
Kirk Bushman, Commissioner
Travis Kavulla, Commissioner
Roger Koopman, Commissioner

APPEARANCE

Aleisha Solem, Commission Secretary

(40) In the matter of the approval of Commission Minutes for the week of January 28, 2013.

Commissioner Lake moved to APPROVE the Commission Minutes for the week of January 28, 2013. Chairman Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(41) In the matter of Out of state staff travel.

Commissioner Kavulla moved to APPROVE David Lofftus' travel to attend the Institute of Public Utilities Grid School March 4-7, 2013, in Charleston, SC. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(42) In the matter of TN2562 and TN2564: Flathead Area Custom Transportation Inc.'s request to continue lease of PSC No. 56 and PSC No. 9364.

Chairman Gallagher moved to APPROVE the continued lease of PSC No. 56 and PSC No. 9364. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(43) In the matter of TN2563 and TN2565: Flathead Area Custom Transportation, Inc.'s request to suspend PSC No. 56 and PSC No. 9364 from February 15, 2013 to August 15, 2013.

Chairman Gallagher moved to APPROVE the suspension of PSC No. 56 and PSC No. 9364. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(44) In the matter of TN2566: Executive Limousine Service's requests that PSC No. 9096 be cancelled effective immediately.

Commissioner Lake moved to CANCEL PSC No. 9096. Chairman Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(45) In the matter of TN2567: Powder River Transportation Services request that PSC No. 8962 be cancelled effective immediately.

Commissioner Bushman moved to CANCEL PSC No. 8962. Chairman Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Kim Moran, Regulatory Division

(46) In the matter of Organization of MISO States (OMS) Board of Directors action items.

Commissioner Bushman moved to APPROVE the comments to include support of alternative 1. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(47) In the matter of D2008.3.27: Cut Bank Gas general rate case.

Chairman Gallagher moved to APPROVE the request of Cut Bank Gas to file its general rate case no later than September 1, 2013. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Mike Dalton, Regulatory Division

(48) In the matter of D2012.11.116: CenturyLink/Hypercube Telecom interconnection agreement.

Commissioner Kavulla moved to APPROVE the interconnection agreement. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division
Will Rosquist, Regulatory Division

(49) In the matter of D2012.1.3: NorthWestern Energy's petition for judicial review of Final Order 7199d.

Chairman Gallagher moved to DIRECT staff to immediately explore the potential for prompt settlement before transmittal of the record; COMMUNICATE to the parties the Commission's willingness to consider withdrawing paragraphs 72-76, 88-91, and 106 dealing with elimination of the 50 MW installed capacity limit the QF cap or modification of the cap, withdrawing paragraphs 86 and 107 requiring annual update of the QF-1 and WI-1 rates using the same methodology requiring an update to the avoided cost rates in Schedules QF-1 and WI-1 in 2013, and to modify the order clarifying the application to the wind integration rates short term contracts. Based on the communication with parties staff is DIRECTED to determine the inclination of the parties to participate/intervene in the appeal and report back to the Commission. Commissioner Lake seconded the motion, which passed 4 to 1. Commissioner Kavulla dissenting.

APPEARANCE

Will Rosquist, Regulatory Division
Brian DeKiep, Regulatory Division

(50) In the matter of legislative bills relevant to the PSC mission, statutory authority, administrative process, and general agency concerns.

Commissioner Lake moved to MONITOR SB 247. Chairman Gallagher seconded the motion, which passed unanimously.

Commissioner Lake moved to MONITOR HB 394. Commissioner Kavulla seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

W. A. GALLAGHER, Chairman

BOB LAKE Vice Chairman

KIRK BUSHMAN, Commissioner

TRAVIS KAVULLA, Commissioner

ROGER KOOPMAN, Commissioner

ATTEST:

Aleisha Solem
Commission Secretary

(SEAL)