

**DEPARTMENT OF PUBLIC SERVICE REGULATION  
PUBLIC SERVICE COMMISSION  
STATE OF MONTANA JOB VACANCY  
AN EQUAL OPPORTUNITY EMPLOYER**

**4 Page Document**

<b>JOB TITLE:</b>	CHIEF LEGAL COUNSEL
<b>POSITION NO.:</b>	42100007
<b>DIVISION:</b>	LEGAL/CONSUMER
<b>PAY BAND:</b>	*EXEMPT*
<b>SALARY:</b>	\$69,000 - \$79,000
<b>ADDITIONAL SALARY INFORMATION:</b>	Salary depending on qualifications, with pay raises granted by the legislature.
<b>BARGAINING UNIT:</b>	N/A
<b>LOCATION:</b>	HELENA, MONTANA
<b>STATUS:</b>	FULL-TIME PERMANENT
<b>APPLICATION DEADLINE:</b>	February 8, 2013
<b>SUPPLEMENT REQUIRED:</b>	Yes

\*This position is exempt from pay plan rules and serves at the pleasure of the five member commission.

Successful applicant will be subject to a national criminal history background check.

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**APPLICATION DEADLINE**

Applications may be completed online at <http://www.mt.gov/statejobs/statejobs.asp>, mailed to the Public Service Commission, PO Box 202601, Helena, Montana 59620-2601, and postmarked by the closing date, or e-mailed to: [ahall@mt.gov](mailto:ahall@mt.gov) by Midnight, MST on the closing date.

**REASONABLE ACCOMMODATION**

The State of Montana makes reasonable accommodations for any known disability that may interfere with an applicant's ability to compete in the recruitment and selection process or an employee's ability to perform the essential duties of the job. For the Public Service Commission to consider any such accommodation, the applicant must make known any needed accommodation.

**TYPICAL DUTIES**

This position serves as the Legal/Consumer Division Administrator and provides legal representation and/or counsel to the five-member Montana Public Service Commission and its staff. This position directly supervises four staff.

The person in this position must possess strong organizational, management and supervisory skills, have a tireless work ethic, a passion for precision and accuracy, and be able to inspire,

motivate, coach, and mentor employees on an ongoing basis. We are seeking a leader, not a caretaker, who will manage by example, always striving to make improvements, foster teamwork and achieve the highest levels of excellence.

The incumbent must have a strong commitment to public service (i.e. appreciation of open procedures, due process and fairness; demonstrated concern for citizens and customers; and awareness of national, regional, and Montana public policy issues in energy and/or telecommunications).

Examples of duties include the following:

1. represents the Commission in cases before the Montana District Courts, the Montana Supreme Court, federal district courts, federal appellate courts and federal administrative agencies;
2. assists the commission in contested cases at the administrative level;
3. advises the commission in its decision-making process;
4. drafts orders;
5. responds to public and press inquiries;
6. drafts and reviews proposed legislation;
7. testifies before legislative committees;
8. drafts rules;
9. acts as hearings examiner;
10. acts as advocacy attorney;
11. advises the Commission on administrative matters;
12. monitors federal agencies and may participate in federal dockets or cases.

#### **SPECIAL NOTE**

The person in this position will have responsibility for advising the Commission on some or all of the following: the Montana Telecommunications Act (a complex piece of legislation whose implementation requires significant attention to and knowledge of the Federal Telecommunications Act of 1996); the Electric Utility Industry Generation Reintegration Act (a complex statute that requires careful implementation by the Commission); most other parts of Title 69, MCA; the Montana Administrative Procedure Act as it applies to the many and varied actions and responsibilities of the Commission; other parts of state and federal law that relate to

the duties of the commission, particularly the Federal Power Act, the Public Utility Regulatory Policies Act, and the Telecommunications Act of 1996.

The person in this position will be required to become expert in all areas of public utility law, for example telecommunications and energy.

### **EDUCATION/EXPERIENCE**

Must have graduated from law school and been admitted to practice law in Montana. Persons who have taken the Montana Bar Exam, but have not received the result, or who are preparing to take the next bar exam, may be hired on a probationary basis.

Extensive, progressive management and supervisory experience is strongly preferred, to include experience with performance evaluations, hiring, and discipline. A professional background within the utility sector (electric, natural gas, telecommunications) is highly desirable, including hands-on knowledge of the rate-making process.

### **COMPETENCIES**

The person in this position will have a high level of legal expertise, where necessary, in Montana and federal law related to the regulation of electricity, natural gas, telecommunications, water/sewer, and motor carrier transportation. The person in this position will have a detailed understanding of, and experience with, the rate regulation of public utilities, especially energy utilities. In addition, the person in this position will have a high level of expertise in administrative law and practice, including the application and implementation of the Montana Administrative Procedure Act as it relates to the work of the Commission.

### **SUPPLEMENTAL QUESTIONS:**

1. Describe your experience in administrative law, including the Montana Administrative Procedure Act.
2. Describe your experience in utility and transportation law.
3. Describe your experience or education in utility regulation by category, electricity, natural gas/propane, water/sewer, telecomm and transportation.
4. Describe your experience working collaboratively with others in a group effort requiring your legal review and analysis.
5. Describe your supervisory experience.

### **APPLICATION AND SELECTION PROCEDURES**

Selection procedures to be used in evaluating applicants' qualifications may include, but are not limited to: an evaluation of the Montana State Application form; an evaluation of education, training and experience; an evaluation of the responses to Supplemental Questions; a semi-structured oral interview; a review of writing samples; reference checks.

All applicants must submit the following:

1. A resume, including salary history and three references related to past job experience.
2. Two legal writing samples, not to exceed 15 pages each. If not attached to the online application form, writing samples should be emailed to [ahall@mt.gov](mailto:ahall@mt.gov).

3. A State of Montana Application; online form may be accessed at <http://www.mt.gov/statejobs/statejobs.asp> or contact your local job service for additional application formats.
4. Responses to the Supplemental Questions.

Applicants claiming the Veteran's or Handicapped Person's Employment Preferences (see State of Montana Employment Application, PD-25) must provide verification of eligibility with the application materials.

Applicants selected for interviews or hire may be required to produce additional information such as law school transcripts, verification of educational degree(s) or certifications, or other requested items evidencing or verifying assertions made in the application or interview process.

The successful applicant must produce within 24 hours of hire, documentation that he/she is authorized to work in the United States. Examples of such documentation include a birth certificate or social security card, along with a driver's license or other picture ID, a U.S. Passport or a Green Card.

**APPLICANT POOL:**

If another department vacancy occurs in this job title within six months, the same applicant pool may be used for the selection.

**Statement of Selective Service Registration Status**

If you are a male born on or after January 1, 1960, and are at least 18 years of age, the Montana Compliance with Military Selective Service Act requires that you register with the Selective Service System unless you meet certain exemptions under Selective Service law. If you are required to register, but fail to do so, you are not eligible for employment with the state of Montana.

**A false statement may be grounds for not hiring you, or for dismissing you if you have already begun work. Also, you may be punished by fine or imprisonment.**

**LATE OR INCOMPLETE APPLICATIONS WILL BE REJECTED**