

**MONTANA PUBLIC SERVICE COMMISSION  
REVISED  
AGENDA NO. 15-11-3**

Date Published: October 29, 2015

For Work Week Commencing: November 2, 2015

Commission Meeting: Tuesday, November 3, 2015, 9:00 a.m.

General Introduction *This agenda is the Commission's agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Until further notice, the Commission is technically unable to provide live audio and video feeds of Commission meetings using the Commission's own streaming facilities. In the meantime, the Commission will provide access to live audio of its meetings. Persons wishing to listen to the live meeting should use online audio streaming at <http://stream.vision.net/MT-gov>. The audio feeds of meetings are archived at <http://psc.mt.gov>.*

Inquiries *General inquiries concerning this agenda and subscribing to electronic notice may be made to Sandy Scherer at (406) 444-6180. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. Approval of Commission Minutes (Aleisha)

Approval of the Commission Minutes for the week of October 26, 2015.

2. Out-of-state staff travel (Justin)

Staff requests approval for Laura Farkas and Jeremiah Langston to travel to Denver, Colorado to attend the CLE International Telecommunications Law Conference on December 14, 2015. Laura will be a speaker for the conference so the majority of her expenses are covered. As a speaker she is provided one discounted registration to the conference of \$100 so Jeremiah will be attending at a substantially reduced rate. Probable Motion: Move to approve the travel request.

3. Greyhound Lines, Inc. TN2642 (Brenda)

Greyhound Lines, Inc., Dallas, Texas requests cancellation of PSC No 8939 due to changes in transportation laws as a result of SB 396. Probable Motion: Approve the request for cancellation of PSC No 8939.

Class A - Passengers, their baggage and express, between Butte, Montana, and the Montana-Idaho State Line: from Butte over Interstate Highway 90 to Junction U.S. Highway 10 (West Rocker Junction), thence over U.S. Highway 10 to Junction Interstate Highway 90 (Gregson Road Junction), thence over Interstate 90 to Junction U.S. Highway 10 (North Opportunity Road Junction), thence over U.S. Highway 10 to Junction Interstate Highway 90 (Gold Creek Junction), thence over Interstate Highway 90 via Drummond to Junction U.S. Highway 10 (West Drummond Junction), thence over U.S. Highway 10 to Junction Interstate Highway 90 via Missoula to Junction Interstate Highway 90 (West Missoula Junction), thence over U.S. Highway 10 to Junction Interstate Highway 90 (Nine Mile Junction) thence over Interstate 90 to Junction U.S. Highway 10 (North Tarkio Junction), thence over U.S. Highway 10 to Junction Interstate Highway 90 (East Superior Junction), thence over Interstate 90 to Junction U.S. Highway 10 to Junction Interstate Highway 90 (East Superior Junction), thence over Interstate 90 to Junction U.S. Highway 10 (West Superior Junction) thence over U.S. Highway 10 to the Montana-Idaho State Line serving all intermediate points including Drummond, Milltown, Missoula, Alberton and Superior over access

highways to Interstate Highway 90. Limitations: No local service is authorized between Butte and the junction of Interstate Highway 90 and U.S. Highway 10A east of Anaconda (Anaconda Junction).

- SUB A Class B - Persons, by charter from any point authorized to be served in regular Class "A" service (including the City of Butte) to any and all points in the State of Montana. This certificate is incident to certificate of public convenience and necessity, PSC No. 8939, authorizing Class "A" service and may not be separately sold or leased.  
Limitations: (a) The hiring of charter service must be for the entire vehicle and solicitation of individual passengers to constitute a load is prohibited. (b) The charter trip must originate or terminate in the area authorized to be served by the carrier in regular Class A service. (c) Charter service, except to schools, churches, lodges or community and service organizations, is prohibited unless the one way trip is in excess of ten (10) miles.
- SUB B Class A - Passengers, between Butte, Montana, and the Montana-Dakota state line, i.e., via Interstate Highway 90, excluding that portion between Billings, Montana, and Laurel, Montana, and excluding that portion between Bozeman, Montana and Butte, Montana.
- SUB C Class A - Persons and baggage, between Butte, Montana, and Bozeman, Montana, via Interstate Highway 90.
- SUB D Class A - Light express and newspapers, between Butte, Montana and the Montana-North Dakota State Line, excluding service between the City of Butte and Bozeman and/or Bozeman and Butte, over Interstate Highways 90 and 94; provided, however, that the hauling of newspapers for the Butte Daily Post between Butte and Bozeman, Montana, on the 2:30 p.m. eastbound bus from Butte is authorized, subject to cancellation on thirty days' notice.

SUB E Class A - Light express and newspapers between Butte, Montana and Bozeman, Montana over Interstate Highway 90 serving all intermediate and off-route points via available access roads and highways.

SUB F Class A - Passengers and baggage between Billings, Montana and Laurel, Montana over Interstate 90.

SUB G Class B - Persons, by charter, from any point authorized to be served in regular Class "A" service to any and all points in the State of Montana. This certificate is incident to certificate of public convenience and necessity, PSC No. 8940, authorizing Class "A" service and may not be separately sold or leased.

Limitations: (a) The hiring of charter service must be for the entire vehicle and solicitation of individual passengers to constitute a load is prohibited. (b) The charter trip must originate or terminate in the area authorized to be served by the carrier in regular Class A service. (c) Charter service, except to schools, churches, lodges or community and service organizations, is prohibited unless the one way trip is in excess of ten (10) miles. (d) Transportation of charter movements originating or terminating within the City of Butte, Montana, is prohibited.

4. Qwest Corporation dba CenturyLink D2004.7.108 (Mike)  
 Qwest Corporation dba CenturyLink / Qwest Communications Corporation

Qwest Corporation dba CenturyLink has filed for approval with the Public Service Commission a Power Reduction Amendment to the interconnection agreement between Qwest Corporation dba CenturyLink and Qwest Communications Corporation in Docket D2004.7.108. The amendment was included with the filing and may be viewed on the Public Service Commission website, as well as at the office of the Public Service Commission and the Montana Consumer Counsel. The amendment was publicly noticed and the Commission did not receive any comments or objection to the proposed amendment. Probable Motion: Approve the amendment to the interconnection agreement.

5. Qwest Corporation dba CenturyLink D2015.9.66 (Mike)  
 Qwest Corporation dba CenturyLink / QuantumShift Communications

Qwest Corporation dba CenturyLink has filed for approval with the Public Service Commission an interconnection agreement between Qwest Corporation dba CenturyLink and QuantumShift Communications in Docket D2015.9.66. The interconnection agreement was included with the filing and may be viewed on the Public Service Commission website, as well as at the office of the Public Service Commission and the Montana Consumer Counsel. The interconnection agreement was publicly noticed and the Commission did not receive any comments or objection to the proposed interconnection agreement. Probable Motion: Approve the interconnection agreement.

6. Yellowstone Pipeline N2015.10.80 (Joel)

On October 16, 2015, Yellowstone Pipeline requested from the Commission approval to change current language in Tariff 49.7 to correct a misprint in the language related to the petroleum products moved through the pipeline. This change will not affect rates. Probable Motion: Approve change to tariff language to correct the misprint.

7. Montana-Dakota Utilities (MDU) D2015.9.67 & D2015.9.68 (Dagan)

On October 23<sup>rd</sup> 2015, MDU filed an application seeking authority to accumulate the under and over collections of MPSC and MCC taxes starting on October 1, 2015. MDU has requested to defer implementing tariffs reflecting these tax decreases at this time. MDU proposes to accrue both under and over collections for inclusion in its next general rate filing. The under and over collections will be carried on MDU's books as regulatory liabilities and assets until returned to or recovered from customers.  
Order 7437 increased the PSC tax rate. .20% to .23%  
Order 7438 decreased the MCC tax rate. .10% to .06%

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. Placeholder – Railroad Safety – Discuss and act on whether to open an investigative docket concerning railroad safety and consider whether to revise the Commission's Response to the Legislative Audit Committee's Performance Audit on railroad safety. (11/3/15)
2. PSC – Available FTE – Discuss utilizing available FTE to fill vacant positions. (11/3/15)

**Other Meetings**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

11/3/15 – 10:00 a.m. – QF Rulemaking Hearing 38-5-232 (Bollinger Room) – audio feed only

11/4/15 – 9:00 a.m. - D2015.8.64 – Greycliff Wind Prime, LLC – Oral Argument (Bollinger Room) – audio feed only

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Wettington Water, Inc. N2015.10.82 (Scott)

On October 19, 2015, Wettington Water, Inc., submitted its application to adopt rates under the Simplified Regulatory Treatment Options for small water and sewer companies. Wettington Water elected to use the Standard Rate Tariffs outlined in ARM 38.5.2528 and the Standard Ancillary Charges as established by the Commission.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. Comments on the requests may be submitted at any time prior to ruling. Copies of these requests may be viewed on the Commission's web site at <http://psc.mt.gov>

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be viewed on the Commission's web site at <http://psc.mt.gov>

1. Montana-Dakota Utilities                      D2015.6.51                      (Justin)

On October 26, 2015, Montana-Dakota Utilities, Co. (MDU) filed a *Motion for an Order Protecting Information Requested in Data Requests MCC-175, MCC-182, and MCC-186*. MDU seeks to protect third-party information provided to MDU regarding (1) the terms of easement agreements Thunder Spirit entered into with third-party landowners; (2) third-party vendor information URS Corporation provided to MDU pursuant to a confidentiality agreement; and (3) confidential and proprietary third-party vendor information Nordex provided to Thunder Spirit pursuant to a confidentiality agreement.

**Information Items** All items identified below are for information only.

**New Filings Received in Past Week**

D2015.10.81 – NorthWestern Energy - IN THE MATTER OF the Application of NorthWestern Energy for Automatic Rate Adjustment for Taxes and Fees and the Investigation of the Public Service Commission into Taxes and Fees  
N2015.10.82 – Wettington Water District Inc. - IN THE MATTER OF Wettington Water District Inc.'s Application for Standard Ancillary Charges for Small Water and Sewer Utility