

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 16-12-6**

Date Published: November 30, 2016

For Work Week Commencing: December 5, 2016

Commission Scheduling Meeting: Tuesday, December 6, 2016, 9:00 a.m.

Commission Business Meeting: Tuesday, December 6, 2016, 9:30 a.m.

General Introduction: This agenda is the Commission's agenda for the work week designated. In the beginning part of each week 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 website 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: Visit <http://www.psc.mt.gov/video.asp> to watch live stream of Commission meetings.

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 at (406) 444-6199 prior to the meeting to allow accommodations to be made.

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

1. Approval of Commission Minutes (Sandy)  
Approval of the Commission Minutes for the week of November 28, 2016.
2. Lifeline Program Tariff Changes N2016.11.86 (Tina)

On November 10, 2016, the Public Service Commission (Commission) issued a Notice of Staff Action requesting carriers with tariffs on file with the Commission submit a filing to remove descriptive wording in their tariff regarding Lifeline and replace it with a brief explanation that they provide

Lifeline as authorized by the Federal Communications Commission. The following carriers have submitted tariffs in compliance with the November 10 notice:

Citizens Telecommunications Company of Montana dba Frontier  
Communications of Montana  
Project Telephone Company

Probable Motion: Approve the tariff filings as submitted.

3. Phillips 66 Pipeline LLC D2016.10.80 (Dagan)

On October 17, 2016, Phillips 66 Pipeline LLC filed a request for cancellation of Montana PSC tariff No. 4.6. Probable Motion: Approve the tariff filing as submitted.

4. Phillips 66 Carrier LLC D2016.10.80 (Dagan)

On October 17, 2016, Phillips 66 Carrier LLC filed a request to adopt Montana tariff No. 1.0 from Phillips 66 Pipeline LLC. In adopting the old tariff Phillips 66 Carrier LLC will replace tariff No. 2.1.

Phillips 66 Carrier LLC also requests to adopt Montana tariff No. 4.6 from Phillips 66 Pipeline LLC. In adopting the tariff Phillips 66 Carrier LLC will replace the old tariff No. with 2.0.

Probable Motion: Approve the tariff filings as submitted.

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

1. D2016.3.30 – Montana-Dakota Utilities Co. – Montana-Dakota Utilities Co., a Division of MDU Resources Group Inc.’s Application for Conservation Tracking Adjustment (CTA) - Discuss and act on MDU’s request to adjust its CTA gas rate. (12/6/16)
2. D2016.6.51 – Montana-Dakota Utilities Co. - Application for Authority to Implement a Fuel and Purchased Power Cost Tracking Adjustment - Discuss and act on MDU’s request to adjust its fuel and purchased power cost tracker. (12/6/16)
3. Southern and Lincoln Telephone Co. v. PSC - Montana Supreme Court review of District Court decisions - Discuss whether the PSC should retain

outside counsel to help defend the two District Court decisions involving public disclosure of telecommunications information. (12/6/16)

### **Other Meetings**

**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 a subsequent agenda and participation may be had by submitting written comments, either by mail or hand delivery, 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 via the PSC's public comment email, [psc\\_utilitycomment@mt.gov](mailto:psc_utilitycomment@mt.gov). A comment form may be downloaded at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Lifeline Program Tariff Changes N2016.11.86 (Tina)

On November 10, 2016, the Public Service Commission (Commission) issued a Notice of Staff Action requesting carriers with tariffs on file with the Commission submit a filing to remove descriptive wording in their tariff regarding Lifeline and replace it with a brief explanation that they provide Lifeline as authorized by the Federal Communications Commission. The following carriers have submitted tariffs in compliance with the November 10 notice:

Qwest Corporation d/b/a CenturyLink QC  
CenturyTel of Montana d/b/a/ CenturyLink

**Transportation Notice Items:** Motor carriers with proper standing may protest applications. Protests related to an application for Class A, B, and E passenger authority is limited to a protest of the motor carrier's ability to meet the requirements of Mont. Code Ann. §§ 69-12-323(5) and 69-12-415. Protests must include the proper fee, as required by Mont. Admin. R. 38.3.402(c), and conform to the requirements at Mont. Admin. R. 38.3.405 or 38.3.406 as applicable. A protest form is available on the Commission's website at <http://psc.mt.gov/transportation>. If no written protests are received by the deadline, the Commission may issue a final decision on the application (including a decision by delegation of authority to Commission staff pursuant to established internal operating procedures) without a public hearing, pursuant to Mont. Code Ann. § 69-12-321.

**Protective Orders – Notice Items:** The Commission has received the following requests for protective order pursuant to Mont. Admin. R. 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 Mont. Admin. R. 38.2.5008. Copies of these orders may be viewed on the Commission's web site at <http://psc.mt.gov>

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

**New Regulatory Filings Received in Past Week**

N2016.11.90 – Public Service Commission - IN THE MATTER of the Proposed Amendment of ARM 38.5.3403 pertaining to Operator Service Providers

D2016.11.91 - Energy West Montana Inc. - Joint Application for Approval of the Acquisition of Gas Natural, Inc. by First Reserve Energy Infrastructure Fund II, LP

D2016.11.92 - Fox Hill Utilities, LLC - IN THE MATTER OF Fox Hill Utilities, LLC's Application for Standard Rates

**New Transportation Filings Received in Past Week**

\*TN 2664 - Butte Urban Safari Tours request suspension of PSC No 9473 for six months from November 1, 2016 until May 1, 2016.

**\* Qualifies for Staff Action. Upon receipt of a written request by a commissioner or an interested person submitted within five (5) business days of the date published on this Agenda, the Commission will review this item.**