

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 11-05-10**

Date Published: May 5, 2011

For Work Week Commencing: May 9, 2011

Commission Meeting: May 10, 2011, 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, deposited in the mail directed to all persons who have properly requested notice by mail, 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 *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. 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 (Kate)

Approval of the Commission Minutes for the week of April 18, 2010

2. Montana-Dakota Utilities Co. N2011.4. 31 (Eric D)

On April 20, 2011, Montana-Dakota Utilities Co. (MDU) filed a natural gas tariff sheet titled Thermal Zone Boundaries (Volume No. 6, 6th Revised Sheet No. 4) for approval. The modified tariff sheet establishes a new Heating Zone 241 for customers located in Fairview that are currently in Heating Zone 24. The proposed Heating Zone 241 is necessary to account for changes in the heating value of natural gas delivered to MDU customers as a result of the addition of a new receipt point on Williston Basin Interstate Pipeline Company's pipeline. Probable Motion: Approve MDU's request to establish Heating Zone 241.

3. City Cab TN2501 (Eric D.)

Montana Tariff Bureau, as agent for Willson LLC dba City Cab, Billings, Montana, in an independent action in its Passenger Tariff No. 3, requests fuel surcharge of \$.75 per fare covering the passenger transportation conducted under PSC No. 7489. The fuel surcharge, if approved, would be in effect May 11, 2011 to August 9, 2011. Probable Motion: Approve the fuel surcharge of \$.75 per fare as applied for.

Sub A Class B – Passengers and their baggage between all points and places within Yellowstone, Treasure, Stillwater, Carbon and Big Horn Counties. Limitations: (1) Transportation of A Burlington Northern Railroad Co. work crew is prohibited. (2) Transportation is limited to the use of motor vehicles with a passenger rated capacity of seven (7) or less.

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

1. Placeholder - Consider joining OMS comments to FERC on Motion to Intervene and Comment in Docket EL11-30: (E.ON Climate and Renewables v. Midwest ISO). (5/10/11)

2. Legislative wrap-up – Provide recap of PSC-affecting legislation from 2011 session. (5/10/11)
3. Appointment of interim Chief Legal Counsel – Appoint Jim Paine to be interim Chief Legal Counsel. (5/10/11)
4. PSC Operations Manual – Consider modifications to the PSC Operations Manual in the following sections: 1) Reserving a meeting room; 2) The Commissioners; and 3) Eliminating the Executive Director's position. (5/10/11)
5. Inquiry/investigation – Investigate whether Commissioner Kavulla's trip to Las Vegas to meet with utility investors may have been in violation of PSC rules or other applicable rules or statutes. (5/10/11)

### **Other Meetings**

**5/9/11, 8:00 AM to 12:00 PM – FERC Docket ER10-1138 – NorthWestern Energy's Mill Creek Schedule 3 filings – FERC settlement conference (Commission Conference Room – no web audio feed)**

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

**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. Central Montana Communications N2011.4.37 (Scott)

On April 29, 2011, Central Montana Communications (CMC) requested modification to its tariff. MCM is requesting to decrease monthly recurring rate for business subscribers by \$2.00 from \$32.50 to \$30.50. Also Bundle

upgrade options are being changed to reflect changes to the broadband pricing in non-regulated tariff.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Copies of these requests may 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 requests may viewed on the Commission's web site at <http://psc.mt.gov>

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

**New Filings Received in Past Week**

D2011.4.33 - NorthWestern Energy - Application for Propane Supply Cost Account Balance and Rate Adjustment for Townsend Propane Supply

D2011.4.35 - Sleepy Hollow Oil and Gas LLC - Application for Authority to Initiate Natural Gas Service in and around Winifred, Montana

N2011.4.37 - Central Montana Communications Inc - Modified Tariffs - Local Network Access Line Service and Service Bundles - Monthly Recurring Charges