

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, February 28, 2012, the following members were present:

Travis Kavulla, Chairman
Gail Gutsche, Vice Chair
Bill Gallagher, Commissioner
Brad Molnar, Commissioner
John Vincent, Commissioner, via phone

APPEARANCE

Aleisha Solem, Commission Secretary

(50) In the matter of the approval of Commission Minutes for the week of February 20, 2012.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of February 20, 2012. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Joel Tierney, Regulatory Division

(51) In the matter of N2012.2.18: People's Power & Gas, LLC application for gas supplier license in the State of Montana.

Chairman Kavulla moved to APPROVE the application of People's Power & Gas, LLC for gas supplier license in the State of Montana. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division
Justin Kraske, Legal Division

(52) In the matter of D2009.12.156: Aquanet, LLC stipulation.

Commissioner Molnar moved to DENY the stipulation, APPROVE an interim order approving the revenue requirement set forth in the testimony of the Montana Consumer Counsel, and RESET the Procedural Order. Chairman Kavulla seconded the motion.

MOTION TO AMEND: Chairman Kavulla moved to adjust the interim revenue requirement to reflect the utilities revenue calculation of PSC staff and to adopt a five-year amortization period for estimated rate case expense. Commissioner Molnar seconded the motion. The motion was withdrawn without a vote.

MOTION TO AMEND: Commissioner Vincent moved to STRIKE the issuance of an interim order, which was approved 3-2, Commissioners Kavulla and Molnar dissenting.

MOTION TO AMEND: Commissioner Gallagher moved to ADOPT the proposed staff order accepting the stipulation which died for lack of a second.

The MAIN MOTION AS AMENDED was voted on and passed unanimously.

APPEARANCE

Bob Decker, Regulatory Division
Jason Brown, Legal Division

(53) In the matter of N2012.1.4: PPL Treasure State, LLC's request for authorization to use Midwest Renewable Energy Tracking System (MRETS) as a REC tracking and verification mechanism.

Commissioner Gutsche moved to APPROVE the use of MRETS in addition to Western Renewable Energy Generation Information System (WREGIS) as a REC tracking and verification mechanism. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Commissioner Molnar

(54) In the matter of Yellow Taxi's DOT number.

Discussion only, no action or vote was taken.

APPEARANCE

Nickie Eck, Transportation Unit
Dennis Lopach, Administrator, Legal Division

(55) In the matter of T-10.31.COM, T-10.33.COM, and T-10.35.COM: Formal complaint against Jesse Rumble and Rumble Inc.

Commissioner Gallagher moved to APPROVE the Draft Order with a change on page 27 and non substantive changes. Commissioner Molnar seconded the motion, which passed 4 to 1. Chairman Kavulla dissenting.

APPEARANCE

Dennis Lopach, Administrator Legal Division
Angelina Hall, Centralized Service Division

(56) In the matter of American Recovery and Reinvestment Act State Electricity Regulators Assistance Grant.

MAIN MOTION: Commissioner Gutsche moved to AUTHORIZE staff to apply for the extension of the grant through December 31, 2014. Chairman Kavulla seconded the motion.

SUBSIDIARY MOTION: Commissioner Gallagher moved to **RELEASE** the excess of the grant back to the Department of Energy. Chairman Kavulla ruled the motion out of order, as it was not within the scope of the work session.

SUBSIDIARY MOTION: Commissioner Molnar moved to **EXTEND** the grant to cover existing open positions, once filled the grant money would be returned to the Department of Energy. Commissioner Gallagher seconded the motion, which failed 2 to 3. Commissioners Kavulla, Gutsche and Vincent dissenting.

The **MAIN MOTION** was voted on, and passed 3 to 2. Commissioners Gallagher and Molnar dissenting.

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

TRAVIS KAVULLA, Chairman

GAIL GUTSCHE, Vice Chair

W. A. GALLAGHER, Commissioner

BRAD MOLNAR, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

Aleisha Solem
Commission Secretary

(SEAL)