

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on February 25, 2014, the following members were present:

Bill Gallagher, Chairman
Bob Lake, Vice Chairman
Kirk Bushman, Commissioner via phone
Travis Kavulla, Commissioner via phone
Roger Koopman, Commissioner

APPEARANCE

Aleisha Solem, Commission Secretary

(52) In the matter of the approval of Commission Minutes for the week of February 17, 2014.

Commissioner Koopman moved to APPROVE the Commission Minutes for the week of February 17, 2014. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(53) In the matter of Out of state staff travel.

Commissioner Lake moved to APPROVE the travel of Gary Duncan to Albuquerque, NM to teach at the Basics Course May 11-16, 2014 and October 12-17, 2014. Commissioner Koopman seconded the motion, which passed unanimously.

APPEARANCE

Joel Tierney, Regulatory Division

(54) In the matter of N2014.1.1: Montana-Dakota Utility's request to approve its update to cost schedule Rate 53.

Commissioner Kavulla moved to APPROVE the Rate 53 schedule. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Mike Dalton, Regulatory Division
Will Rosquist, Regulatory Division

(55) In the matter of D2014.1.14: Bonneville Power Administration's (BPA) residential exchange credit filing.

Commissioner Lake moved to APPROVE the proposed adjustment to the BPA residential exchange program credit on an interim basis. Commissioner Koopman seconded the motion,

which passed unanimously.

APPEARANCE

Jason Brown, Legal Division
Tina Shorten, Consumer Unit
Joel Tierney, Regulatory Division

(56) In the matter of D2013.12.89: Big Sky Gas LLC's petition for waiver of ARM 38.5.6002(1) and 38.5.6004(3).

Commissioner Koopman moved to GRANT the waiver and ADOPT the order as discussed. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Jason Brown, Legal Division

(57) In the matter of D2014.1.7: Crazy Mountain Wind LLC's petition for declaratory ruling.

Commissioner Lake moved to GRANT the request for declaratory ruling. Commissioner Kavulla seconded the motion, which failed 2 to 3. Commissioners Gallagher, Koopman, and Bushman dissenting.

Chairman Gallagher moved to ISSUE a declaratory ruling stating that when determining whether to certify an eligible renewable resource as a "community renewable energy project" under §69-3-2003(4), the Commission will determine whether local owners have a controlling interest in an eligible renewable resource as of the date of its interconnection, and at any time during the PPA. Commissioner Koopman seconded the motion, which passed 4 to 1. Commissioner Kavulla dissenting.

APPEARANCE

Justin Kraske, Administrator, Legal Division
Laura Farkas, Legal Division
Kate Whitney, Administrator, Legal Division
Bob Decker, Regulatory Division

(58) In the matter of D2010.2.14: The complaint of James T. Gruba et al v. NorthWestern Energy.

Commissioner Lake moved to DENY the request for subpoena. Commissioner Koopman seconded the motion, which passed unanimously.

Chairman Gallagher moved to DENY the objection of NWE and DIRECT staff to reset the Procedural Order with the same intervals previously in place. Commissioner Lake seconded the motion, which passed 4 to 1. Commissioner Koopman dissenting.

APPEARANCE
Commissioner Koopman

(59) In the matter of N2013.4.29: The PSC's investigation into electric and natural gas universal system benefits programs and funding.

Commissioner Koopman moved to INCLUDE as a potential legislative option, the repeal of the USB statute. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE
Chairman Gallagher
Kate Whitney, Administrator, Regulatory Division
Justin Kraske, Administrator, Legal Division

(60) In the matter of the Commission initiated discussion on collateral statements and opinions.

Discussion only, no action was taken.

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

W. A. GALLAGHER, Chairman

BOB LAKE, Vice Chairman

KIRK BUSHMAN, Commissioner

TRAVIS KAVULLA, Commissioner

ROGER KOOPMAN, Commissioner

ATTEST:

Aleisha Solem
Commission Secretary

(SEAL)