

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on June 17, 2014, the following members were present:

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

APPEARANCE

Judy Scheier, Assistant Commission Secretary

(153) In the matter of the approval of Commission Minutes for the week of June 9, 2014.

Commissioner Lake moved to APPROVE the Commission Minutes for the week of June 9, 2014. Commissioner Bushman seconded the motion, which passed unanimously.

APPEARANCE

Mandi Hinman, Administrator, Centralized Services

(154) In the matter of out of state staff travel.

Commissioner Kavulla moved to APPROVE the out of state travel for Ousmane Loam to travel to Redmond, WA to attend the "Visual Studio Live!" meeting, August 18 – August 22, 2014. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division  
Jeremiah Langston, Legal Division

(155) In the matter of D2014.5.47 and D2013.5.34: NorthWestern Energy Gas Tracker – 2014-2015.

Commissioner Kavulla moved to APPROVE the draft interim order subject to minor non-substantive edits. Commissioner Koopman seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Regulatory Division  
Will Rosquist, Regulatory Division  
Jason Brown, Legal Division

(156) In the matter of D2014.5.46: NorthWestern Energy 2014 Electric Tracker.

Commissioner Lake moved to APPROVE the Draft Interim Order. Commissioner Koopman seconded the motion, which passed 4 to 1. Commissioner Kavulla dissenting.

APPEARANCE

Jeremiah Langston, Legal Division

(157) In the matter of D2014.3.30 and D2013.3.20: NorthWestern Energy's 2014 Natural Gas Universal System Benefits Tracker filing.

Commissioner Kavulla moved to ISSUE the Notice of Commission Action consolidating the 2013 and 2014 gas trackers filings. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Neil Templeton, Regulatory Division

Jason Brown, Legal Division

(158) In the matter of D2013.12.86: Montana –Dakota Utilities – 2014-2016 Natural Gas Conservation Portfolio.

Commissioner Kavulla moved to ISSUE an order for MDU's proposed natural gas conservation portfolio and to include language to take up LRAM question in the next portfolio. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

Gary Duncan, Regulatory Division

Justin Kraske, Administrator, Legal Division

(159) In the matter of PSC 2015 legislation.

PROPOSAL 1 – Amend the Universal System Benefits Program laws to include an exemption or waiver.

Commissioner Lake moved to ACCEPT staff's recommendation to amend the Universal Systems Benefits Program laws to include an exemption or waiver from electric USB requirements for public utilities with fewer than 50 customers and an exemption from natural gas USB requirements for natural gas utilities with fewer than 200 customers. Commissioner Kavulla seconded the motion, which passed unanimously.

PROPOSAL 2 - Make natural gas USB mimic electric USB by setting an expenditure limit for USB natural gas program using a formula.

Discussion only, no action taken – previously included in on ETIC list.

PROPOSAL 3 - Repeal of Community Renewable Energy Project (CREP) requirements.

Discussion only, no action taken – previously included in on ETIC list.

PROPOSAL 4 - Amend 69-3-303, MCA, Notice and hearing on proposed change.

No discussion - previously included in on ETIC list.

PROPOSAL 5 – EPA carbon regulations opposition bill.

Discussion only, no action taken. Will not be included on ETIC list.

PROPOSAL 6 – Consider reforms of Title 69, Chapter 12 – Motor Carriers.

Discussion only, no action taken. Will not be included on ETIC list.

PROPOSAL 7 – Clean-up Title 69, Chapter 14 – Railroads.

Commissioner Kavulla moved to CONSIDER reforms to Title 69, Chapter 14. Commissioner Koopman seconded the motion, which passed unanimously.

PROPOSAL 8 – Telecom statutes reform.

Commissioner Lake moved to ACCEPT telecom statutes reforms to the ETIC committee. Chairman Gallagher seconded the motion, which passed unanimously.

PROPOSAL 9 – Amend Chapter 13, Common Carrier statutes to provide more substantive role for PSC.

Discussion only, no action taken. Will not be included on ETIC list.

PROPOSAL 10 – One-call legislation (related to requirements for excavations near underground utilities).

Discussion only, no action taken. Will not be included on ETIC list.

APPEARANCE  
Commissioner Koopman

(160) In the matter of EPA’s carbon-related rulemaking: consider hiring former University of Montana professor Rob Natelson as a consultant to advise the commission and staff on constitutional questions arising from the EPA’s new carbon rules (and from the rulemaking of

the executive agencies with which the PSC deals in general).

Commissioner Koopman moved to HIRE Rob Natelson as a consultant for a fee not to exceed \$3,000. Commissioner Kavulla seconded the motion.

Commissioner Koopman withdrew his motion.

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

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W. A. GALLAGHER, Chairman

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BOB LAKE, Vice Chairman

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KIRK BUSHMAN, Commissioner

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TRAVIS KAVULLA, Commissioner

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ROGER KOOPMAN, Commissioner

ATTEST:

Judy Scheier  
Assistant Commission Secretary

(SEAL)