

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on January 25, 2016, the following members were present:

Brad Johnson, Chairman
Travis Kavulla, Vice Chairman
Kirk Bushman, Commissioner
Roger Koopman, Commissioner
Bob Lake, Commissioner

APPEARANCE

Aleisha Solem, Commission Secretary

(17) In the matter of the approval of Commission Minutes for the week of January 18, 2016.

Commissioner Lake moved to APPROVE the Commission Minutes for the week of January 18, 2016. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Mandi Hinman, Administrator, Centralized Services Division

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

Commissioner Koopman moved to APPROVE the out of state staff travel of Mandi Hinman to the Government Finance Officers Association Annual Conference in Toronto, Ontario, Canada May 22-May 26, 2016. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Brenda Koch, Transportation Unit

(19) In the matter of TN2646: Medical Transportation Services dba Northern Cheyenne Board of Health's request to continue the lease of PSC No. 9413 to Lame Deer Health Center from January 15, 2016 to January 15, 2017.

Commissioner Bushman moved to APPROVE the lease of PSC No. 9413. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Regulatory Division

(20) In the matter of D2015.12.98: Black Hills Power's quarterly fuel rate rider application.

Commissioner Bushman moved to APPROVE the application. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Administrator, Legal Division
Brenda Koch, Transportation Unit

(21) In the matter of T-15.47.COC Aneta Jones dba HiLine Taxi's application for certificate of compliance.

Commissioner Kavulla moved to ACCEPT the response and ISSUE the certificate of compliance. Commissioner Lake seconded the motion, which passed 4 to 1. Commissioner Bushman dissenting.

APPEARANCE

Margo Schurman, Regulatory Division
Laura Farkas, Legal Division

(22) In the matter of D2015.11.87, Black Hills Power, Inc.'s application for approval of negotiated contract with Belle Fourche Pipeline Co.; D2015.11.88, Black Hill Power Inc.'s application for approval of negotiated contract with Butte Pipeline Co.; D2015.11.89, Black Hills Power, Inc.'s application for approval of negotiated contract with Denbury Onshore, LLC.

Commissioner Bushman moved to APPROVE the final rate request. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Laura Farkas, Legal Division

(23) In the matter of D2015.9.70: Havre Pipeline Company's application for interim and final rate adjustment for its rural farmstead customers.

Commissioner Kavulla moved to APPROVE consolidating docket no. D2015.9.70 and D2013.7.56, DIRECTED staff to issue a notice identifying additional issues regarding the methodology to determine rates. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

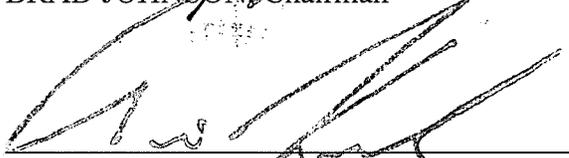
Jason Brown, Legal Division
Scott Fabel and Neil Templeton, Regulatory Division

(24) In the matter of D2015.10.81: NorthWestern's application for automatic rate adjustment for taxes and fees and the investigation of the Public Service Commission into taxes and fees.

Commissioner Kavulla moved to ISSUE the final order as circulated changing the word "minimize" in paragraph 22 to "address". Commissioner Koopman seconded the motion, which passed 4 to 1. Commissioner Bushman dissenting.

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


BRAD JOHNSON, Chairman


TRAVIS KAVULLA, Vice Chairman


KIRK BUSHMAN, Commissioner


ROGER KOOPMAN, Commissioner


BOB LAKE, Commissioner

ATTEST:



Aleisha Solem
Commission Secretary

(SEAL)



At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on January 29, 2016, the following members were present:

Brad Johnson, Chairman
Travis Kavulla, Vice Chairman
Kirk Bushman, Commissioner via phone
Roger Koopman, Commissioner
Bob Lake, Commissioner

APPEARANCE

Laura Farkas and Jeremiah Langston, Legal Division

(25) In the matter of D2014.12.99: Liberty Utilities Co.'s joint application for approval of a sale and transfer of stock.

Commissioner Lake moved to find that the Commission has jurisdiction over this sale and transfer proceeding. Commissioner Kavulla seconded the motion, which passed unanimously.

Commissioner Lake moved to DIRECT legal staff to pursue fines against Mountain Water under Montana Code Annotated §§ 69-3-209 and 69-3-206. Commissioner Kavulla seconded the motion, which passed unanimously.

Commissioner Lake moved to FIND that there are concerns that, in addition to completing a sale and transfer without Commission approval, Mountain Water potentially violated applicable ring fencing provisions, and therefore must show cause by February 26, 2016, demonstrating why the Commission should not immediately suspend upstream dividend payments. Commissioner Kavulla seconded the motion, which passed unanimously.

Commissioner Lake moved to FIND that Mountain Water's rates may no longer be just and reasonable because they do not appropriately reflect the firm's capital structure and cost of capital, and therefore moved to DIRECT staff to initiate a proceeding to investigate its rates and receive a rate application. The Commission will institute an interim rate adjustment by February 26, 2016, if it finds such an action to be appropriate. Commissioner Koopman seconded the motion, which passed 4 to 1. Commissioner Bushman dissenting.

Commissioner Lake moved to DIRECT staff to cooperate with the Montana Attorney General's office to consider other remedies pursuant to Montana Code Annotated § 69-3-110. Commissioner Kavulla seconded the motion, which passed unanimously.

Commissioner Lake moved to HOLD this proceeding in abeyance until such a remedy is achieved that would necessitate continuance of this proceeding. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist, Administrator, Regulatory Division

(26) In the matter of the Present Regulatory Division Action Plan.

Discussion only, no action taken.

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


BRAD JOHNSON, Chairman


TRAVIS KAVULLA, Vice Chairman


KIRK BUSHMAN, Commissioner


ROGER KOOPMAN, Commissioner


BOB LAKE, Commissioner

ATTEST:


Aleisha Solem
Commission Secretary

(SEAL)

