

MONTANA PUBLIC SERVICE COMMISSION

AGENDA NO. 2024.01.09

Date Published: January 5, 2024

For Week Commencing: January 8, 2024

Place of Meetings:

All meetings are held at the Public Service Commission Bollinger Conference Room, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Commission Meetings:

Commission Scheduling Meeting: January 9, 2024, 9:00 AM.

Commission Business Meeting: January 9, 2024, 9:30 AM.

Action Items

1. Approval of Commission Minutes (Heather Campbell)

Approval of the Commission Minutes for the week of December 18, 2023

Work Sessions

1. 2023.07.064 – MT Roll Offs, LLC – Application for Class D Certificate of Public Convenience and Necessity – To consider respective Motions for Summary Judgment from Protestors, Allied Waste Services of North America, LLC d/b/a Republic Services of Montana (“Allied”) and MacKenzie Disposal, Inc. (“MacKenzie”), and Allied’s Motion for Leave to Reply in Support of its Summary Judgment Motion (“Motion to Reply”).
2. 2023.12.101– Tristar Haul-Away (“Tristar”) – Application for Class D Temporary Operating Authority (“Application”) – To consider granting Tristar Class D temporary Operating Authority before giving public notice of Tristar’s Application.
3. 2023.10.090 – Montana Dakota Utilities – MDU Rate 93 Tariff Update – To consider a draft Notice of Additional Issues.
4. 2022.07.073 – Colstrip Energy Limited Partnership (“CELP”) – CELP’s Petition to Set Terms and Conditions for a Qualifying Small Power Production Facility Pursuant to Mont. Code Ann. § 69-3-603. – To consider NorthWestern’s Motion for Extension of Time to file a compliance purchase power agreement.
5. Commission Initiated – Annual Pipeline Safety Program Update – Give Commissioners annual pipeline safety update.
6. Commission Initiated – Annual Railroad Safety Program Update 2023 – Give Commissioners annual Railroad Safety Program update.

Other Meetings

1. January 10, 2024, 9:00 AM – Select Committee on Energy Resource Planning and Acquisition (SCERPA) – Resource Acquisition Process Seminar – State Capitol Building, Room 137 – Draft Agenda available.
2. January 11, 2024 – Bonneville Power Administration Annual 4-State PUC/PSC meeting in Portland, OR.

Notice Items: All items identified below are noticed for public involvement purposes. Public Comments on this Agenda’s items need to be submitted within 5 calendar days following publication of this Agenda, or as provided in the Notice. Please refer to the “Public Involvement” item in this Agenda for options and assistance.

None

Transportation Notice Items: Motor carriers with proper standing may protest Class A, D, and E applications. Protests related to an application for Class A and E passenger authority is limited to a protest of the motor carrier’s ability to meet the requirements of Mont. Code Ann. §§ 69–12–323(5) and 69–12–415. Protests must include the proper fee, as required by Mont. Admin. R. 38.3.402(c), and conform to the requirements at Mont. Admin. R. 38.3.405 or 38.3.406 as applicable. Protest forms are available on the Commission’s website under Regulated Utilities, Compliance Materials, Transportation. See <https://psc.mt.gov/docs/Transportation/pdf/Protest-to-Application-for-Certificate-of-Compliance.pdf> and <https://psc.mt.gov/docs/Transportation/pdf/COC-app-2015class-E.pdf>. If no written protests are received by the deadline, the Commission may issue a final decision on the Application (including a decision by delegation of authority to Commission staff pursuant to established internal operating procedures) without a public hearing, pursuant to Mont. Code Ann. § 69–12–321.

Kurtz Sanitation, Inc. Lease to
Miles City Sanitation Service, LLC 2023.12.104 (Gwen Knight)

On November 24, 2023, Miles City Sanitation Service, LLC submitted its finalized request to renew its lease of Class D motor carrier Certificate of Public Convenience and Necessity, PSC No. 2740 (Sub A), from Kurtz Sanitation, Inc. The authority requested under this lease includes garbage transportation service within the City of Glendive, Montana, and a twenty-five-mile radius thereof, with limitations on service to (1) a specified area around Interstate 94 and (2) roll-off or open top containers only. The term of this lease is for one year commencing upon approval.

New Regulatory Dockets Received in Past Week:

2023.12.102	Miller Oil	Miller Oil Monthly Tariff Docket
2023.12.103	Montana Public Service Commission	Bobcat Trash Cease and Desist
2023.12.104	Kurtz Sanitation Inc., Miles City Sanitation Service LLC	PCN 2740 Lease from Kurtz to Miles City

General Information: This is the Commission's Agenda for the week designated above. The agenda is posted a week in advance on the public information bulletin board at the Commission's office, is emailed to all persons who have requested notice by email and is posted on the Commission's website <http://psc.mt.gov>.

Public Involvement: The Commission invites the public's involvement in its proceedings. Options are:

- (1) provide written comments at the Commission's website <http://psc.mt.gov>, select "Documents & Proceedings" Tab; select "Comment on a Proceeding," select "Continue as Guest," complete form, select "Submit".
- (2) join the "watch list" for a docket at the Commission's website <http://psc.mt.gov>. Go to <http://psc.mt.gov/REDDI-Help> for instructions on joining watch lists.
- (3) watch the meeting's "Live Webcast" from your computer at <http://psc.mt.gov/livestream>;
- (4) attend a Commission meeting in person and provide comments;
- (5) attend a Commission meeting via Zoom to provide public comment:
 - a. Please call the Commission's toll-free number at 1-800-646-6150 by 4:30 p.m. on the day before the scheduled Business Meeting.
 - b. You will need to provide your name; the docket number or a description of the docket on which you wish to provide comment; your phone number; and your email address.
 - c. You will be given an identifier, such as "Commenter 1, 2, etc." This identifier will be how you are recognized to provide public comment during the business meeting.

- d. Public commenters will make comments only once near the beginning of the business meeting. Commenters are welcome to remain online to listen to the entire meeting.
 - e. You may also provide written comments as outlined in paragraph (1) under “Public Involvement.” These comments are not made publicly available but are provided to the docket work team and Commissioners.
- (6) sign up on the Commission’s “Email List” to receive Notices by email for the following categories: Rules, Motor Carrier, Energy West Applications, MCC & PSC Taxes, Montana–Dakota Utilities Applications, NorthWestern Energy Applications, PSC Orders, Telecommunications Applications, PSC Agendas, and PSC Hearings;
- (7) mail or deliver written comments to the Commission’s office, 1701 Prospect Ave., P.O. Box 202601, Helena, MT 59620–2601;
- (8) contact your District’s Commissioner; and
- (9) contact the Commission’s Consumer Assistance staff at 1–800–646–6150 or email pschelp@mt.gov. They are happy to assist you!

Live Webcast: Visit <http://psc.mt.gov/livestream> to watch live stream of Commission meetings and hearings.

Inquiries: For general inquiries concerning this Agenda, contact Patricia Trooien at (406) 444–6199 or the Commission’s Consumer Assistance Staff at 1–800–646–6150.

Accommodations for Individuals: Individuals needing accommodations to attend or participate at a Commission meeting or hearing may contact the Commission’s Consumer Assistance Staff at 1–800–646–6150 or by email pschelp@mt.gov prior to the meeting or hearing. The Commission will make every effort to provide assistance.