

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 04-10-05**

Date Published: September 30, 2004
For Work Week Commencing: October 4, 2004
Commission Meeting: October 5, 2004, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Montana-Dakota Utilities N2004.8.134 (Dave B)

On August 17, 2004, Montana-Dakota Utilities (MDU) filed a request for Contract Service – Rural Water System Rate 36 and the Electric Service Agreement between MDU and Dry Prairie Rural Water Authority (Dry Prairie). MDU requests permission to remove the generation costs from its Large General Service Rate 30 and issue this new Rate 36. The demand charge is reduced from \$4.99 per kw to \$4.17 and the energy charge is reduced from and average charge of 3.550 ¢ per kwh to 2.040 ¢ per kwh. This request is being made due to a Federal Mandate.

2. CenturyTel of Montana N2004.8.132 (Scott)

On August 17, 2004, CenturyTel filed Tariff Transmittal No. 2004-04. In this filing CenturyTel is renaming Schedule 31 from 'Emergency Number Service (911)' to 'Emergency Communications Services'. Also, two new service offerings are to be added to the schedule: Enhanced Universal Emergency Number Service (E9-1-1) and Emergency Notification Service.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2002.2.24; D2002.7.84; D99.3.68; D99.10.240; D2001.1.7; D2003.2.18; D2004.6.89; D2004.4.66 – Qwest; 3 Rivers; ICG Telecom Group; DIECA (Covad); Multiband Communications; McLeod; Vivid Networks: AT&T Communications – Amendments to Interconnection Agreements. (10/5/04)
2. D2004.7.119; D2004.8.140; D2004.9.147 – Qwest Corporation, MCI, Granite Telecommunications, New Access – Commercial/Interconnection Agreements. (10/5/04)
3. D2004.7.119 – Qwest – Motion to Dismiss. (10/5/04)
4. D2004.2.17 and D2004.2.22 – Ronan Telephone Company and Hot Springs Telephone Company – Applications for Extended Area Service within the Missoula Region. (10/5/04)
5. D2003.1.14 – WWC Holding Co. (Western Wireless) – Application for Designation as ETC. (10/5/04)
6. D2004.2.23, L-04.07.5-RUL – Montana Independent Telecommunications Systems and Montana Telecommunications Associations – Petition for ETC Rulemaking. (10/5/04)
7. D2004.9.156 – Montana-Dakota Utilities – Robinson v. Montana-Dakota Utilities. (10/5/04)
8. D2004.6.90 and D2003.6.77 – AARP – Petitions for Late Intervention in NorthWestern Energy's Jointly Administered Tracker Dockets. (10/5/04)

9. NorthWestern Energy Bankruptcy – Placeholder to Report on and Get Direction on Any Matter Related to the Bankruptcy. (10/5/04)
10. L-04.7.2-RUL – Revisions to Protective Order Rules per Great Falls Tribune, etc. (10/5/04)

Other Meetings

10/5/04 1:30 p.m. – Planalytics, Inc. Presentation on Natural Gas Hedging (Bollinger Room)

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

1. Qwest Services Corporation N2004.9.152 (Gary)

On September 14, 2004 Qwest Service Corporation (Qwest) filed a Petition for Waiver of Months to Exhaust/Utilization Threshold requirements set forth in the FCC's Number Resource Optimization Order, FCC 00-429 and FCC 01-362. A waiver of the FCC's requirements would allow Neustar, Montana's Pooling Administrator, to provide numbering resource to Qwest that have been requested in order for Qwest to satisfy a specific customer request from Stillwater Mining in Billings. The FCC allows for such a waiver of rules when there is a specific customer request. The waiver process ("safety valve process") is addressed in FCC 01-362, paras 57-66, which delegate waiver authority to state commissions.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2004.9.156 – Jack L. Robinson – Jack L. Robinson v. Montana-Dakota Utilities
– Regarding Pilot Light Call Leading to Merchandise Sale
N2004.9.157 – PSC Initiated – PSC Comments to the Federal Communications
Commission in FCC-WC Docket No. 04-313
D2004.9.158 – Miller Oil Company – Gas Cost Tracker for 2004
N2004.9.159 – PSC Initiated – Failure to Submit Annual Report by Ronan
Telephone
D2004.9.160 – Black Hills Power – Letter of Transmittal Quarterly Fuel Rate
Rider