

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 04-10-19**

Date Published: October 14, 2004
For Work Week Commencing: October 18, 2004
Commission Meeting: October 19, 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.

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

1. **10/18/04 9:30 a.m.** - N2004.9.157 – PSC – Comments on FCC Development of Final Network Unbundling Rules in FCC-WC Docket No. 04-313 - Discuss Filing Reply Comments to the FCC Due October 21, 2004. (10/19/04)
2. ROC QPAP Collaborative Audit - Discuss ROC QPAP Audit Proposal. (10/19/04)

3. D2004.8.133 – Qwest – CLEC Forum – Placeholder to Discuss/Act on Any Matters Related to CLEC Forum. (10/19/04)
4. D2004.2.22 – Hot Springs Telephone Company – Application for Extended Area Service within the Missoula Region – Discuss Customer Survey/Balloting Results, Review EAS Application, and Receive Further Direction on How the Commission Wishes to Proceed. (10/19/04)
5. D99.8.200 – Qwest – Capital Expenditures – Get Commission Direction. (10/19/04)
6. Organization of MISO States – Placeholder to Discuss Any OMS Issues That May Arise Prior to the October 22 OMS Meeting. (10/19/04)
7. NorthWestern Energy Bankruptcy – Placeholder to Report on and Get Direction on Any Matter Related to the Bankruptcy. (10/19/04)

Other Meetings

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. SPRINT COMMUNICATIONS COMPANY L. P. MONTANA N2004.10.162 (Leroy)

On October 6, 2004 Sprint Communications Company L. P. Montana filed its 239th revision of its Montana P.S.C. Price List No. 1. The purpose of the filing is to: increase the payphone surcharge associated with several paid phone cards; make text changes to include the payphone surcharge with the card rates; make text corrections; reduce the 75, 180 and 310 minute

increments of the Sprint Retail Prepaid Calling Card Option U (Radio Shack); introduce 500 minute increment for Sprint Retail Prepaid Calling Card Option U (Radio Shack); grandfather the 33 minute increment of the Sprint Retail Calling Card Option U (Radio Shack). Sprint requested an October 14, 2004 effective date.

2. MDU Resources Group, Inc. D2004.10.163 (Eric)

On October 6, 2004, MDU applied for authority to issue over a two-year period \$750,000,000 of long-term financing in the following amounts; (1) the issuance of not to exceed \$750,000,000 of the Company's Common Stock, (2) the issuance not to exceed \$112,500,000 of the Company's Preferred Stock and/or Preferred Stock A, (3) the issuance of not to exceed \$262,500,000 of the Company's secured debt securities, (4) the issuance of not to exceed \$262,500,000 of stock purchase contracts and (5) the issuance of not to exceed \$262,500,000 of hybrid securities such as convertible or unconvertible preferred securities, putable or callable instruments. The Company seeks the flexibility to vary the maximum issuance amounts for each type of security so long as the aggregate issuance amount of all securities does not exceed \$750,000,000. The proceeds of these issuances will be used for funding the Company's capital requirements, for the refunding of its outstanding obligations, for corporate development including the acquisition of businesses or business assets and for other general corporate purposes.

3. NorthWestern Energy D2001.1.5 (Eric)

On June 10, 2002, NWE made a filing for approval of its Electric Sale Credit pursuant to Order 6353c. This is a one year credit of \$30,000,000 plus estimated interest. At the end of one year there will be a true-up to deal with any over/under collection. This filing is based on an updated market since the time of the stipulation. At the end of one year rates will rise by the \$30,000,000 to reflect the elimination of the credit.

4. MCI Communications N2004.10.164 (Scott)

On October 8, 2004, MCI filed a revision to its Montana Tariff No. 2. The purpose of this filing is to make a textual change and add a rate per call for Payphone Use Charge.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2004.10.163 – MDU Resources Group – Application for Authorization to Issue Securities

N2004.10.164 – MCI – Make a Textual Change and Add a Rate per Call for Payphone Use Charge