

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-02-01**

Date Published: January 27, 2005
For Work Week Commencing: January 31, 2005
Commission Meeting: February 1, 2005, 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. **1/31/05 9:30 a.m.** – Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (1/31/05)
2. D2003.2.23 – 3 Rivers Telephone Cooperative – ETC - Discuss and act on 3 Rivers' motion for reconsideration and other matters as necessary. (2/1/05)

3. D2005.1.10, D2005.1.6, D2005.1.2 – Qwest, ReConex, OrbitCom, CAN Communication Services – Qwest Platform Plus service agreements filed with the Commission for informational purposes only – Discuss and get Commission direction on QPP agreements and other matters as related. (2/1/05)
4. D2004.7.119, D2004.8.140, D2004.11.179, D2004.11.180, D2004.11.181, D2004.11.177, D2004.11.178, D2004.9.147 – Qwest, MCI, Granite, Northstar, Montana Wireless (Blackfoot), Multiband, Contact, Z-Tel, New Access – Motions for reconsideration of Commission decision on interconnection agreements – Discuss and act on motions for reconsideration and other matters as related and necessary. (2/1/05)
5. D99.8.200 – Qwest – Construction expenditures – Discuss, review and get direction on comments received in response to Commission’s notice regarding compliance with Commission direction in D99.8.200 and other related matters as necessary. (2/1/05)
6. D2003.12.170 – Western Montana Local Calling Coalition – Application for EAS – Review the EAS application and receive further direction, if necessary, on how the Commission wishes to proceed. Status of the Triangle/Central, Blackfoot, Ronan, Hot Springs, and Lincoln EAS implementations. (2/1/05)
7. D2004.3.46 – Energy West Montana – General rate case – Update, discussion, action on motion for continuance. (2/1/05)
8. FERC ER99-3491-003 – PPL Montana – Triennial update for market based rate authority – Advise Commission of PPL Montana’s answer to MCC’s motion, to late-filed affidavit and to MPSC’s request to initiate Section 206 proceeding. (2/1/05)
9. D2004.11.140 (CDV 2003-443), D2003.6.66, D2004.6.88 – NorthWestern Energy – Gas trackers and related – Further discussion of stipulation and settlement, other matters as necessary. (2/1/05)
10. D2003.7.86 and D2004.6.96 – NorthWestern Energy - Qualifying Facility (QF) Avoided Cost (AC) – General discussion, background, status, action on pending matters as needed. (2/1/05)
11. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (2/1/05)

12. Personnel – Decide whether to adopt an agency telework policy. (2/1/05)
13. Further “process” orientation for new Commissioners. (2/1/05)
14. Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/1/05)
15. **2/2/05 9:30 a.m.** - Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/2/05)
16. **2/3/05 9:30 a.m.** – Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/3/05)
17. **2/4/05 9:30 a.m.** – Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/4/05)

Other Meetings

2/3/05 10:00 a.m. - Introduction and short briefing on current activities of the Midwest ISO by Bill Malcolm, Manager of State Regulatory Affairs, MISO (Commission Conference Room)

2/4/05 9:30 a.m. - Briefing on Grid West by Bud Krogh, facilitator for Grid West, followed by a panel discussion by Montana participants and BPA (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.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. MCI TELECOMMUNICATIONS CORPORATION N2005.1.12 (Leroy)

On January 26, 2005, MCI Telecommunications Corporation (MCI) filed revisions to its Montana Tariff No. 2. The purpose of the filing is to introduce RLG Certificate Promotion 1 and 2, Three Free Month Certificate Promotion 3, remove 50% Certificate Promotion 3 from the tariff, extend and make a textual change to Fee Month Certificate Promotion and Two Free Month Certificate Promotion 3, extend the expiration date for Small Business \$10 Credit Promotion, \$25, \$20 Credit Promotion, Small Business 25% and 50% promotion, Small Business Saves Credit Promotion, Small Business Term Plan, 3, 4 and 5 Promotion and Business B2 Free Month Promotion, introduce MCI Business Services II, increase the per call surcharge Card Access rate for MCI. Business Services I and On-Net Services. MCI is requesting a February 1, 2005 effective date.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person interested in seeking a copy of a protective order request should contact the Commission at 406-444-6199.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2005.1.8 – KMC Data LLC and KMC Telecom V, Inc. – Notice of Election of Interconnection Agreement between Qwest Corporation and AT&T Communications of the Mountain States

D2005.1.9 – Montana-Dakota Utilities – Heating Zone Boundary Changes

D2005.1.10 – Qwest Corporation and 1-800-Reconex Inc. – QPP Agreement

D2005.1.11 – Range Telephone and WWC Holding – Application for Approval of Reciprocal Interconnection, Transport and Termination Agreement

N2005.1.12 – MCI – Introduce Promotions and Make Textual Changes