

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-11-22**

Date Published: November 17, 2005
For Work Week Commencing: November 21, 2005
Commission Meeting: November 22, 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.

1. **D2004.4.62 Qwest/OPCOM; D2004.6.92 Qwest/AirTel, and D2004.5.83 Qwest/Blackfoot Interconnection Agreements** (Gary)
In the spring of 2004 the following three interconnection agreements were filed with the Commission for approval: D2004.4.62 Qwest/OPCOM; D2004.6.92 Qwest/AirTel, and D2004.5.83 Qwest/Blackfoot. All three of these agreements were brought before the Commission within the allowed 90 days for approval. The work session was held on July 12, 2004 and all three interconnection agreement were approved on a 4-0 vote. However, recently in reviewing the status of open dockets, it has come to staff's attention that no signed final orders were ever issued in these dockets. A majority of Commissioners who voted to

approve the interconnection agreements are no longer members of the Commission. Staff recommends this Commission move to affirm and renew the action approving each order taken on July 12, 2004 and direct staff to issue the final orders.

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

1. D2004.11.176, D2005.3.37, D2005.3.58, D2004.5.85, D2005.9.136, D2003.1.5, D2005.2.13, D2003.2.18 – Qwest, NorthStar Telecom, Prime Time Ventures, VCI, 1-800-Reconex, Transnational Communications, OrbitCom, New Rochelle, Vivid Networks - Discuss and act on the TRO/TRRO Interconnection Agreement Amendments. (11/22/05)
2. N2005.10.160 – Qwest – Discuss and act on petition to amend ARM 38.5.4111(2) – Pertaining to PIC change charges. (11/22/05)
3. D2003.7.86, D2004.6.96, D2005.6.103 – NorthWestern Energy consolidated qualifying facility avoided cost dockets – Placeholder, status report, discuss all matters as necessary, action as necessary. (11/22/05)
4. D2003.4.49, D2004.4.45, D2004.5.69 – Montana-Dakota Utilities natural gas trackers – Discuss motion for protective order, MCC motion for suspension of schedule, other matters as necessary. (11/22/05)
5. D2005.1.0156 – Montana-Dakota Utilities natural gas conservation programs – Discuss motion for reconsideration, other matters as necessary. (11/22/05)
6. Organization of MISO States (OMS) Board of Directors special meeting – Discuss and seek direction concerning draft comments that may be filed at FERC. The comments, from OMS Congestion Management and FTR Work Group, are in regards to a FERC Notice of Inquiry for Order 888. The OMS Board of Directors will vote upon both draft comments at a special meeting 11/22/05. (11/22/05)
7. FERC joint boards on economic dispatch – Update on recent West and Midwest joint board meeting. (11/22/05)

Other Meetings

11/22/05 – 8:15 a.m. - 5:30 p.m. - Energy & Telecommunications Interim Committee Meeting (Capitol)

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.

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 wanting 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. Copies of these orders may be obtained by calling the Commission at (406) 444-6199

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2005.11.167 – NorthWestern Energy – Monthly Electric Tracker