

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 08-04-29**

Date Published: April 24, 2008  
For Work Week Commencing: April 28, 2008  
Commission Meeting: April 29, 2008, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter 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.mt.gov>.*

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

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

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 – No Web Audio Feed)

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

**Public Comments**

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

1. BLACK HILLS POWER D2008.3.31 (Eric)

On March 31, 2008, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on April 3, 2008. Requests for hearing were due by April 28, 2008. No requests have been received. This application will increase revenues by \$79,367 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Probable motion: Grant BHP's Quarterly Fuel Rate Rider application.

2. AT&T N2008.4.37 (Scott)

On April 11, 2008, AT&T filed Tariff Transmittal 2008-05, Private Line Interoffice Channels and Locate Channel Services Tariff. This filing changes names for selected Private Line Services in the above-mentioned tariffs. AT&T requests an effective date of May 14, 2008. Probable Motion: Approve AT&T's Tariff Transmittal 2008-05 in Docket N2008.4.37.

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

1. Placeholder – D2008.1.6 - PSC Initiated – PSC investigation of Qwest Corporation's rates, schedules and terms and conditions of service – Possible Qwest AFOR or rate case - In case Qwest, the Montana Consumer Counsel and/or the complainants in Qwest Customer complaint Docket No. D2006.10.143 need more time to respond to Commission Order requiring filing of AFOR or rate case. (4/29/08)
2. D2005.6.105 – PSC Initiated - PSC Investigation of and direction on Qwest Corporation's Receipt and Use of Federal Universal Service Funds – Get Commission approval of a consent and waiver with regard to Jim's pending representation of the Commission in this docket. (4/29/08)
3. N2008.4.41 – Stimson Lumber Co. – Request to return to NorthWestern Energy Electric Supply Service – Obtain direction regarding a procedure for processing the request. (4/29/08)

4. D2008.4.42 - NorthWestern Energy – Request to terminate the positive rate in the BPA residential exchange credit tariff in anticipation of resuming the normal credit in July 2008 – Discuss/act on NWE’s request. (4/29/08)
5. D2007.7.82 – NorthWestern Energy – Application for Approval for Authority to Establish Increased Natural Gas and Electric Delivery Service Rates - Discuss and act on Jefferson Energy Trading, LLC’s Petition for Late Intervention. (4/29/08)
6. D2008.3.30 – Montana-Dakota Utilities Co. – Conservation Program Tracking Mechanism Rate 90 – Discuss MDU’s request for interim approval for a decrease from currently authorized CTA rates of \$0.007 per dkt to \$0.005 per dkt, or a reduction of \$0.002 per dkt. As stated in Docket No. D2005.10.156, Order No. 6697c the Commission is required to allow for an opportunity for public hearing and review of MDU’s May 1, 2008, filing. If approved by the Commission these interim rates will remain in effect until final action is taken on D2008.3.30. (4/29/08)
7. L-08.4.1-RUL – PSC Rulemaking – Update the Commission and get direction on the Notice of Public Hearing on Proposed Rulemaking regarding motor carrier certificates, electric utility voltage and electronic copy of filings. (4/29/08)
8. Commission Secretary – Discuss matters as necessary related to filling the CS position following Connie’s resignation. (4/29/08)
9. **4/30/08 9:00a.m.** – D2003.1.14 – Alltel Communications, Inc. – Application for Designation as an Eligible Telecommunications Carrier (ETC) – Discuss any and all matters related to Alltel’s compliance with its obligations as an ETC. (4/30/08)

### **Other Meetings**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**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. Qwest Corporation N2008.4.38 (Scott)

On April 16, 2008, Qwest Corporation filed Tariff Transmittal 08-02, Grandfathering of Talking Call Waiting and Qwest Receptionist. The grandfathering of Talking Call Waiting is due to the manufacturer discontinued status of the equipment that is used to provide the feature. Because of the status, Qwest is requesting to stop the selling of this product and requesting only to maintain the existing customer base. In addition Qwest is requesting to grandfather the Qwest Receptionist feature that works with the Receptionist Telephone. This telephone is no longer sold by Qwest, and they are requesting to stop the sale of this service and only maintain the current customer base. Qwest is requesting a May 12, 2008, effective date.

2. AT&T Communications N2008.4.39 (Scott)

On April 17, 2008, AT&T filed Tariff Transmittal 2008-06, Revisions to AT&T Montana Custom Network Services Tariff and Price List. This filing renames AT&T MEGACOM 800 and AT&T 800 READYLINE Service to Toll-Free MEGACOM Service and Toll-Free READYLINE Service. AT&T requests an effective date of May 18, 2008.

**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**

N2008.4.38 – Qwest Corporation – Tariff Transmittal 08-02, Grandfathering of Talking Call Waiting and Qwest Receptionist

N2008.4.39 – AT&T Communications – Tariff Transmittal 2008-06, Revisions to AT&T Montana Custom Network Services Tariff and Price List

N2008.4.40 – Qwest Communications and Green Servicing, LLC - Amended Multi-State Agreement

N2008.4.41 – Stimson Lumber Company - Request to Return to NorthWestern Energy Electric Service

N2008.4.42 – NorthWestern Energy – Request to Terminate the Positive Rate in the BPA Residential Exchange Credit Tariff