

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 08-07-15**

Date Published: July 10, 2008  
For Work Week Commencing: July 14, 2008  
Commission Meeting: July 15, 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.

NorthWestern Energy N2008.6.73 (Eric D)

On June 30, 2008, NorthWestern Energy Corporation (NWE) filed a request for approval to implement a new Therm billing zone. The proposed Therm billing zone is identified as Zone 29, and is currently included within the existing Therm billing zone 13. Implementation of the new Therm billing zone is necessary as the gas flow characteristics on NWE's gas transmission system have recently changed. Implementation of the new Therm billing zone will ensure customers continue to be billed equitably. Probable Motion: Approve the revision of Therm billing zone 13 and addition of Therm billing zone 29.

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

1. Appoint Verna Stewart PSC Secretary. (7/15/08)
2. D2008.6.62 – NorthWestern Energy – Application of NorthWestern Energy for Approval of 2008 Avoided Cost Filing – Schedule QFLT-1 – Discuss and act on NWE's Motion for Protective Order. (7/15/08)
3. D2008.6.69 – NorthWestern Corporation – Application by NorthWestern Corporation for Approval of Its Interest in Colstrip Unit 4 as an Electricity Supply Resource Under Certain Terms and Conditions Including Certain Treatment of Net Operating Loses – Discuss and act on NorthWestern Energy's Motion for a Protective Order. (7/15/08)
4. D2007.7.82 – NorthWestern Energy – Application for Approval for Authority to Establish Increased Natural Gas and Electric Delivery Service Rates – Discuss and act on NWE's Motion for a Protective Order. (7/15/08)
5. D2007.8.96 – Cut Bank Gas – Application for Approval of True-Up of Gas cost Tracking Adjustment – Review and discuss the request by Cut Bank Gas for reconsideration of the procedural order and enter a final order. (7/15/08)

6. Placeholder – Organization of MISO States (OMS) comments to the Federal Energy Regulatory Commission (FERC) – Discuss possible comments on Resource Adequacy by OMS to FERC. (7/15/08)
7. State of Montana Tribal Relations Report pursuant to 2-15-141 through 2-15-143, MCA – Introduce requirements in above statute and seek Commission direction regarding PSC submission to the 2008 State Tribal Relations Report. (7/15/08)
8. Applicability of Title 13, Chapter 37 – Request an Attorney General Opinion on the applicability of Title 13, Chapter 37 to Public Service Commissioner Activities. (7/15/08)
9. Request Attorney General opinions on several issues related to actions of the PSC, Commissioners, and others. (7/15/08)

### **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.

**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.

NorthWestern Energy (NWE) D2008.6.69 (Al)

On July 9, 2008, NWE filed a motion for protective order to govern access to certain confidential information NWE claims may be requested in this docket. Specifically, NWE seeks protection of its competitive bid information, the identity of actual and potential bidders, confidential information provided to bidders, and projections of future costs related to mercury and capital expenditures.

Qwest Corp. D2008.1.6 (Jim)

On July 10, 2008, Qwest Corp. filed a motion for protective order to govern Access to certain confidential information that Qwest claims was requested by data requests in this docket. Specifically, Qwest seeks protection for: (1) Montana/Qwest wireline estimated market share as of June 2008 vs. Qwest loss in access lines December 2000 to June 2008; (2) TNS Telecom's estimate of Qwest residential customer connections for 1Q2008, and (3) Qwest Montana competitive assessment as of November 2007 with updates as of June 2008.

**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**

D2008.7.74 – Montana-Dakota Utilities – Updated Avoided Cost Rates – Power Purchase Time Differentiated Rate 93