

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 08-12-09**

Date Published: December 4, 2008
For Work Week Commencing: December 8, 2008
Commission Meeting: December 9, 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. Project Telephone N2008.11.135 (Scott)

On November 24, 2008, Project Telephone Co. requested that the Commission allow Project Telephone Co. to waive the charges for the temporary installation of lines for Huntley Project School for the following: Central Office Charges, Service Order Charges, Line Connection Charges, Service Call Charges, and Charges related to moving and changes of facilities. With the PSC's waiver of these tariff charges the Huntley Project School will not be responsible for these payments associated with the installation of phone service to the portable classrooms the school is using while a new building is being constructed. Probable Motion: Approve Project Telephone's request to waive the charges for the temporary installation of lines for Huntley Project School as stated.

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

1. D2008.11.129 – NorthWestern Energy – Request for an Accounting Order to Recognize Accounting for Pension Expense for Calendar Years 2008 through 2012 – Discuss and act on accounting order. (12/9/08)
2. D2008.6.69 – NorthWestern Corporation – Application 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 Losses – Consider and act on MCC's Motion for Reconsideration. (12/9/08)
3. D2007.12.147 – City of Great Falls, Benefis Healthcare System and Electric City Power, Inc. – Complaint against NorthWestern Energy and Request for Declaratory Ruling – Discuss and act on final order. (12/9/08)
4. N2007.11.138 – NorthWestern Energy – Biennial Electric Default Supply Resource Procurement Plan – Discuss/approve PSC written comments on the plan. (12/9/08)
5. D2004.7.99, D2004.12.192, D2005.6.106 – NorthWestern Energy – Consolidated natural gas and electric USB dockets – Discuss draft final order and recommendations on NWE's natural gas and electric USB charges and programs. (12/9/08)

6. N2008.11.134 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer’s Payment Arrangement – Request Commission direction on medical emergency rule application and customer payment arrangement; discuss impact on any future medical payment arrangement requests made during the winter months. (12/9/08)
7. Medical emergency rulemaking – Discuss the medical emergency memo which reviews and offers recommendations involving ARM 38.5.1411. (12/9/08)

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. Central Montana Communications, Inc N2008.12.137 (Scott)

On December 1, 2008, Central Montana Communications, Inc. (CMC) requested to modify its Tariffs. The modifications were for Service Bundles Monthly Recurring Charges, Construction New Service One Applicant, Construction New Service Group of Applicants, and Construction Speculative Land Development.

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.

1. Ronan Tel/Hot Springs Tel v. Qwest D2008.1.3 (Jim)

Commission Staff seeks issuance of a protective order to govern the handling of customer proprietary network information (CPNI) which is protected from public disclosure by federal statute.

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

D2008.12.136 – Montana-Dakota Utilities Co. – Application to Implement a Fuel and Purchased Power Cost Tracking Adjustment – Rate 35

N2008.12.137 – Central Montana Communications, Inc. – Tariff Modifications to Service Bundles–Monthly Recurring Charges, Construction–New Service, One Applicant, Construction–New Service, Group of Applicants and Construction–Speculative Land Development

D2008.12.139 - Black Hills Power, Inc. – Consolidated Petition for Certification that Power from Happy Jack Wind Farm in Laramie County, WY, is an Eligible Renewable Resource and Request for Waivers

D2008.12.140 – Cable & Communications Corporation – Petition for Approval of Cost Data Pursuant to the FCC CETC Cap Order