

**MONTANA PUBLIC SERVICE COMMISSION  
UTILITY DIVISION  
AGENDA NO. 09-08-04**

Date Published: July 30, 2009  
For Work Week Commencing: August 3, 2009  
Commission Meeting: August 4, 2009, 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.

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

1. D2004.3.39 – Petition for Suspension of the Federal Communications Commission Requirements to Implement Wireline/Wireless Number Portability – Blackfoot Telephone Cooperative, Central Montana Communications, Inc., Hot Springs Telephone Company, Interbel Telephone Cooperative, Lincoln Telephone Company, Nemont Telephone Cooperative, Inc., Northern Telephone Cooperative, Project Telephone Company, Inc., Range Telephone Cooperative, Ronan Telephone Company, Southern Montana Telephone Company, 3 Rivers Communications and Triangle Cooperative Association, Inc. – Update on intermodal LNP implementation and discuss closure of the docket. (8/4/09)
2. Placeholder – D2006.1.2 – PSC Investigation and Direction of Montana-Dakota Utilities Co.'s Electric and Natural Gas Universal System Benefits – Extension of Motion for Stay of Final Order on Stipulation. (8/4/09)
3. D2008.8.96 – Five Valleys Gas Company – Application for Approval of Monthly Propane Gas Cost True-Up – Discuss and act on draft default order. (8/4/09)
4. D2007.11.131 – Whitehall Wind, LLC – Complaint against NorthWestern Energy for Failure to Submit Annual Avoided Cost Rate Information – Discuss and act on complaint and related matters. (8/4/09)
5. Out of state staff travel – Obtain approval of Joel Tierney's travel to the national meeting of the National Association of Pipeline Safety Representatives, Sept. 14-18, Indianapolis. (8/4/09)
6. D2002.8.100 – Whitehall Wind, LLC – Judicial Review of Order No. 6444c – Consider the email inquiry from Whitehall Wind on whether the PSC is willing to discuss settlement of the challenge to Order No. 6444c. (8/4/09)

**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.

**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**

D2009.7.102 – Montana-Dakota Utilities Co. – Application for Approval of 2009-2010 Avoided Cost Updates to Power Purchase Time Differentiated Rate 93 Tariff