

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-08-11**

Date Published: August 6, 2009
For Work Week Commencing: August 10, 2009
Commission Meeting: August 11, 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.

1. Qwest N2009.6.86 (Scott)

On June 19, 2009, Qwest filed Tariff Transmittal 09-04 Network Premises Work Charges-Trenching Charges. On July 31, 2009, Qwest requested that this filing be withdrawn. Probable Motion: Approve Qwest's request to **withdraw** Tariff Transmittal 09-04 in Docket N2009.6.86.

2. Qwest Corporation D2006.12.186 (Gary)

Qwest Corporation/MCI Metro Access Transmission Services LLC Interconnection Agreement Amendment

Qwest Corporation filed for approval by the Commission an interconnection agreement amendment which adds the terms, conditions, and rates for DC Power Measurement to the existing agreement between the parties. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and MCI Metro Access Transmission Services LLC in Docket No. D2006.12.186.

3. Nemont Telephone Cooperative, Inc. D2008.7.80 (Gary)

Nemont Telephone Cooperative, Inc./Sagebrush Cellular, Inc. Interconnection Agreement Amendment

Nemont filed for approval by the Commission an interconnection agreement amendment which changes the Reciprocal Compensation Rate in the existing agreement between the parties. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Move to approve the interconnection agreement amendment between Nemont Telephone Cooperative, Inc. and Sagebrush Cellular, Inc. in Docket No. D2008.7.80.

4. Project Telephone Company, Inc. D2008.7.79 (Gary)

Project Telephone Company, Inc./Sagebrush Cellular, Inc. Interconnection Agreement Amendment

Project filed for approval by the Commission an interconnection agreement amendment which changes the Reciprocal Compensation Rate in the existing

agreement between the parties. This amendment was voluntarily negotiated by the parties involved.

Probable Motion: Move to approve the interconnection agreement amendment between Project Telephone Company, Inc. and Sagebrush Cellular, Inc. In Docket No. D2008.7.79.

5. Qwest Corporation D2009.4.51 (Gary)

Qwest Corporation/NetTalk.com, Inc. Interconnection Agreement Amendment

Qwest Corporation filed for approval by the Commission an interconnection agreement amendment which adds the terms and conditions of the Qwest Performance Assurance Plan (QPAP) Section K to the existing agreement between the parties. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and NetTalk.com, Inc. in Docket No. D2009.4.51.

6. Qwest Corporation D2002.6.68 (Gary)

Qwest Corporation/Level 3 Communications, LLC Interconnection Agreement Amendment

Qwest Corporation filed for approval by the Commission an interconnection agreement amendment which adds the terms and conditions for 8XX Jointly Provided Switched Access to the existing agreement between the parties. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Move to approve the interconnection agreement amendment between Qwest Corporation and Level 3 Communications, LLC in Docket No. D2002.6.68.

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

1. D2004.1.7 – Sagebrush Cellular, Inc. (SCI) – Petition for Designation as an Eligible Telecommunications Carrier – Discuss/act on SCI’s petition for an extension of time for completing its build-out of obligation in Project Telephone’s service area. (8/11/09)

2. D2008.9.119 – Mountain Water Company – General rate case – Discuss draft order on settlement presented in the rate case. (8/11/09)
3. N2006.6.84 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer Payment Arrangement – Discuss previously approved monthly payment arrangement and get Commission direction on drafting an appropriate Notice of Commission Action. (8/11/09)
4. N2008.8.102 – NorthWestern Energy – Request for Commission Intervention to Establish a Customer Payment Arrangement – Discuss previously approved monthly payment arrangement and get Commission direction on drafting an appropriate Notice of Commission Action. (8/11/09)
5. Placeholder – FERC EL09-30-000 – Mountain States Transmission Intertie, LLC (MSTI) – MSTI transmission line approval – Discuss whether to submit an ex parte filing explaining the Commission’s position regarding protection of native load customers. (8/11/09)
6. Placeholder – Update Commission on the activities of Northern Tier Transmission Group, Columbia Grid and Montana Transmission Working Group. (8/11/09)
7. Energy & Telecommunications Interim Committee (ETIC) – Obtain direction regarding ETIC’s request for comments on 3 topics. (8/11/09)
8. Out of state staff travel – Obtain approval of Brian DeKiep’s travel to the Organization of MISO States Cost Allocation Regional Planning (CARP) Committee meeting in Carmel, IN, Sept. 24. (8/11/09)
9. Department of Energy “State Electricity Regulators Assistance” Grant – Describe grant purpose/application process and obtain Commission direction. (8/11/09)
10. Placeholder – E-mail restores – Discuss progress on review of e-mails, approval of privacy logs and release of e-mails from Commissioner Jergeson, Toole and Molnar accounts. (8/11/09)

Other Meetings

8/11/09 1:30 p.m. – NorthWestern Energy informational meeting re: customer care and communications (Bollinger Room)

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 N2009.7.103 (Scott)

On July 28, 2009, Central Montana Communications (CMC) request to modify its tariffs. In this filing CMC is requesting to reduce its charge for rotary hunt from \$11.20 to \$10.00 per hunt line. They are also requesting to add Call Transfer service at a rate of \$3.00 per month. Three-way calling is included with Call Transfer.

2. Qwest Corporation N2009.7.104 (Scott)

On July 31, 2009, Qwest filed Tariff Transmittal 09-AC01, Change in terms regarding Jurisdictional Report Requirements for Feature Group D (FGD) Terminating Traffic. When sufficient call detail is received to identify the jurisdiction of terminating FGD traffic, Qwest will continue to charge at the appropriate jurisdictional rate. Terminating traffic that does not contain sufficient call detail to identify the jurisdiction will be assigned jurisdiction as follows: the first 7 percent of unidentified terminating traffic will continue to be jurisdictionally assigned based on the carrier's PIU report. Unidentified traffic in excess of the 7 percent floor will be designated intrastate traffic and charged at Qwest's current Montana rates.

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

N2009.7.103 – Central Montana Communications, Inc. – Tariff Modifications - Local Network Access Line Service and Supplementary Services Nonrecurring Charges and Custom Local Area Signaling Services

N2009.7.104 – Qwest Corporation – Tariff Transmittal 09-AC01, Change in Terms regarding Jurisdictional Report Requirements for Feature Group D (FGD) Terminating Traffic

D2009.8.105 – Big Sky Networks, Inc. – Formal Complaint against CenturyTel of Montana, Inc.

D2009.8.106 – Havre Pipeline Company, LLC – Application to Decrease Rates and Charges to its Direct Rural Farmstead Customers

N2009.8.107 – PSC Initiated – Maximum Allowable Rates for Intrastate Operator Service Providers