

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-08-25**

Date Published: August 20, 2009
For Work Week Commencing: August 24, 2009
Commission Meeting: August 25, 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. D2004.1.7 – Sagebrush Cellular, Inc. – Petition for Designation as an Eligible Telecommunications Carrier – Discuss and act on final order. (8/25/09)
2. N2008.12.144 – PSC Initiated – Qwest Quality of Service Monitoring Inquiry – Discuss recommendations and obtain Commission decisions on reporting requirements involving the Commission’s investigation of Qwest’s service quality. (8/25/09)
3. D2008.12.142 – NorthWestern Energy – Application for Approval of Propane Supply Rate Adjustment and Establishment of an Annual Propane Supply Tracking Mechanism in Townsend, MT – Discuss/act on final order. (8/25/09)
4. D2009.5.61 – Electric City Power, Inc. – Petition for Certification of a Co-Generation System Located at the Wastewater Treatment Plant as an Eligible Renewable Resource – Discuss and act on petition. (8/25/09)
5. PSC Comments to Energy & Telecommunications Interim Committee (ETIC) – Discuss/act on draft comments to ETIC on 3 energy policy issues. (8/25/09)
6. Department of Energy “State Electricity Regulators Assistance” Grant – Review draft grant application. (8/25/09)
7. Medical exception rulemaking – Discuss and act on the medical exception rulemaking notice. (8/25/09)
8. N2008.8.101– NorthWestern Energy – Request for Commission Intervention to Establish a Customer’s Payment Arrangement – Discuss previously approved monthly payment arrangement and get Commission direction on drafting an appropriate Notice of Commission Action. (8/25/09)

Other Meetings

1. **8/24/09 7:00 p.m. – Public meeting re: telephone service problems in Craig/Wolf Creek areas (Craig School, Craig, MT – no web audio feed)**
2. **8/27/09 10:30 a.m. (no web audio feed) – NorthWestern Energy has invited Commissioners to attend the groundbreaking event at the Mill Creek Generating Station site near Anaconda. Three or more Commissioners may attend. The Commissioner(s) will not consider, discuss, speak on, or answer questions on, contested case issues that are currently pending before the Commission. The groundbreaking event will be open to the public.**

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.

1. Westech Energy Corporation D2006.7.108 (Justin)

On August 18, 2009, the PSC issued a protective order (Order No. 6774d) in which Westech's motion requesting protection of those portions of the Ryder Scott report that pertain to non-Montana wells, or which contain summaries or totals of reserves that include information on non-Montana wells, was granted.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2009.8.110 – PSC Initiated – Annual Certification of Montana Eligible Telecommunications Carriers

N2009.8.111 – MCI Communications Services, Inc. dba Verizon Business Services – Transmittal Letter No. 09-08-Montana Tariff No. 3