

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 09-12-22**

Date Published: December 17, 2009
For Work Week Commencing: December 21, 2009
Commission Meeting: December 22, 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. D2008.7.85 – Wettington Water District, Inc. – Application to Implement Increased Rates for Water Service in its Kalispell, Montana Service Area – Discuss and act on the supplemental procedural order setting hearing date. (12/22/09)
2. D2009.12.153 – Montana-Dakota Utilities Co. – Application to Implement a Fuel and Power Cost Tracking Adjustment - Rate 35 – Discuss/act on interim order. (12/22/09)
3. D2009.12.156 – Aquanet, Inc. – Application for Approval to Establish Initial Rates for Water Service in its OakRidge Subdivision, Billings, Montana Service Area – Discuss/act on interim rate request. (12/22/09)
4. D2009.12.155 – NorthWestern Energy – Application for Approval of Automatic Rate Adjustment and Tracking for Taxes and Fees – Discuss/act on rate schedule error and interim order. (12/22/09)
5. D2009.4.56 – Montana-Dakota Utilities Co. – Electric Cost of Service and Rate Design Filing in Compliance with Order 6846f in Docket No. D2007.7.79 – Brief the Commission on MDU’s cost of service and rate design filing and obtain PSC direction and decisions on how to proceed. (12/22/09)

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.

1. CenturyLink D2009.12.157 (Scott)

On December 9, 2009, CenturyLink filed Letter No. 09-09. The purpose of this filing is to add clarity to the application of non-recurring service charges associated with Custom Calling Features and Custom Calling II features and packages. The Company is requesting an effective date of January 9, 2010.

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. Qwest Corporation D2008.1.6 (Jim)

On December 11, 2009, Qwest Corporation filed a Motion for Protective Order seeking protection of the number and type of subscribers to Qwest's High Speed Internet (also DSL services) in the wire centers for which Qwest has deployed DSL facilities in accordance with Appendix F of Qwest's AFOR Plan and statewide data for the same services.

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. Qwest Corporation N2009.11.147 (Jim)

On December 17, 2009, the Commission issued Order No. 7054 granting Qwest Corporation's motion to protect its list of DSL customers in its Boulder, MT exchange from public disclosure.

Information Items All items identified below are for information only.

1. Qwest Corporation Multi State and Individual Case Basis Agreements

Any qualified person who signs a non-disclosure agreement pursuant to the term protective Order No. 6999 in Docket No. D2009.5.60 may review the following agreement at the Commission's offices, 1701 Prospect Ave. Helena, MT, 59620, or at Qwest's office, 441 North Park Avenue, Helena, Mt. 59601. If any interested party has reason to believe that Qwest's prices are below relevant costs in the agreement, the interested party may file an objection with the Commission within 30 days of the date of this notice (please see Qwest Alternative Form of Regulation (AFOR) Docket No. D2008.1.6, Order No. 6889n, Joint Stipulation).

1.) Qwest Corporation/RadioShack Corporation Qwest Corporation (Qwest) and RadioShack Corporation (RadioShack) have signed a Multi-State Agreement for Qwest to provide certain telecommunications services to RadioShack.

New Filings Received in Past Week

D2009.12.155 – NorthWestern Energy – Application for Approval of Automatic Rate Adjustment and Tracking for Taxes and Fees
 N2009.12.157 – CenturyTel of Montana, Inc. dba CenturyLink – Letter 09-09, Tariff revisions to add clarity to the application of non-recurring service charges associated with Custom Calling Features and Custom Calling II features and packages