

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 10-03-09**

Date Published: March 4, 2010
For Work Week Commencing: March 8, 2010
Commission Meeting: March 9, 2010, 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://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. D2009.1.9 – AquaFlo, LLC – General Rate Increase – Act on proposed stipulation for interim rates. (3/9/10)
2. D2010.2.10 – PPL Treasure State – Petition of PPL Treasure State, LLC for Certification of an Eligible Renewable Resource – Discuss and act on the Petition. (3/9/10)
3. OMS comments to FERC – Discuss possible Organization of MISO States comments to the FERC - re credit practices, integration of variable resources, and possibly others. (3/9/10)
4. PSC hold on e-mail records at ITSD – Discuss releasing the holds at the request of ITSD. (3/9/10)
5. Out of state staff travel – Obtain approval of 2 staff travel requests: (1) Brian DeKiep, meetings of the Transmission Expansion Planning Policy Committee and Scenario Planning Steering Group, March 25-26, 2010, Salt Lake City, and (2) Joel Tierney, pipeline safety training course, “Assessment Evaluation of Operator Qualification,” April 20-21, 2010, Denver. (3/9/10)

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 N2010.3.21 (Scott)

On March 1, 2010, CenturyLink filed Letter No. 10-02. The purpose of this filing is to include language to clarify the Company's limitations of liability regarding service irregularities resulting from unauthorized access or hacking. In addition this filing establishes an exemption for active duty members of the United States military from being applied certain service charges when establishing local exchange access line service or transferring existing local exchange access line service from one location to another

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. NorthWestern Energy. D2009.9.129 & D2007.7.82 (AI)

On February 26, 2010, NorthWestern Energy (NWE) filed a request for waiver to allow late-filed motion for protective order and a motion for protective order to govern access to certain information that has been requested by data requests in this docket. Specifically, NWE seeks protection of its "FIN 48 Implementation Binder." NWE asserts, "The information directly relates in its income tax returns as they are copies of the income tax return supporting work

papers including analysis related to various uncertain tax positions contained in those income tax returns.” NWE argues that the information must be protected as a matter of law.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2010.2.20 – Miller Oil Company d/b/a The City Line – Monthly Gas Tracker Adjustment for Propane Service in its Culbertson, Montana Service Area

N2010.3.21 – CenturyTel of Montana, Inc. d/b/a CenturyLink – Letter No. 10-02 – Limitations of Liability Regarding Service Irregularities Resulting From Unauthorized Access or Hacking

D2010.3.22 – TransCanada Keystone Pipeline, LP – Application for Acceptance as Common Carrier Pipeline