

**MONTANA PUBLIC SERVICE COMMISSION
AGENDA NO. 10-08-10**

Date Published: August 5, 2010
For Work Week Commencing: August 9, 2010
Commission Meeting: August 10, 2010, 9:00 a.m.

General Introduction This agenda is the Commission's 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 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. Approval of Commission Minutes (Kate)

Approval of the Commission Minutes for the week of August 2, 2010

2. Lightning Ram, Inc. dba Shuttle to Big Sky and Taxi TN2477 (Eric D)

Lightning Ram, Inc. dba Shuttle to Big Sky and Taxi, Big Sky, Montana, requests that PSC No. 8995 be split for leasing purposes. Currently PSC No. 8995 reads:

SUB C Class B – Persons and baggage between all points within Madison and Gallatin counties. Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle.

If granted the authority issued under PSC No. 8995 will read:

SUB D Class B – Persons and baggage between all points within Madison and Gallatin counties. Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle. (3) Operations in limousine service are prohibited.

The authority issued for leasing purposes under a new PSC number will read:

Class B - Persons and baggage in limousine service between all points within Madison and Gallatin counties. Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle.

Probable Motion: Approve the split of PSC No. 8995 as requested.

3. Lightning Ram, Inc. dba Shuttle to Big Sky and Taxi TN2478 (Eric D.)

Lightning Ram, Inc. dba Shuttle to Big Sky and Taxi, Big Sky, Montana, requests permission to lease the following authority to Lightning Ram, Inc. dba Big Sky Limo for a 12 month period August 10, 2010 to August 10, 2010.

Class B - Persons and baggage in limousine service between all points within Madison and Gallatin counties. Limitations: (1) Transportation must originate

or terminate within a twenty (20) mile radius of Big Sky, Montana. (2)
Transportation of fifteen (15) passengers or less per vehicle.

Probable Motion: Approve the lease as requested.

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

1. N2010.7.73 – PSC Roundtable Regarding the Federal Communications Commission’s Proposed Reforms of the Universal Service Fund – Discuss and act on reply comments to the FCC. (8/10/10)
2. ETIC and EQC bill drafts and ETIC letter to FCC – Decide whether to submit comments on any or all of the bill drafts/letter. (8/10/10)
3. Out of state staff travel – Obtain approval of Brian Dekiep’s travel to the meetings of the Committee on Regional Electric Cooperation (CREPC) and State-Provincial Steering Committee, Salt Lake City, Sept. 13-15. (8/10/10)
4. Agency Rule Reviewer – Discuss and act on Al Brogan’s request to be designated the agency’s rule reviewer. (8/10/10)
5. NARUC Subcommittee on Law – Discuss and act on Al Brogan’s request that the Commission ask for him to be appointed to the NARUC Subcommittee on Law. (8/10/10)

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. Central Montana Communications N2010.8.80 (Scott)

On August 2, 2010, Central Montana Communications (CMC) requested to modify its tariffs. In this filing CMC is requesting to change assessment of Supplementary Services Charge and CLASS feature to when the service is discontinued rather than when the subscriber requested the service. When Order No. 6524b was issued in Docket D2002.10.132 the Commission required that subscribers were allowed to change their local service option at no charge for the first ninety days after implementation of the EAS areas.

2. WWC Holding Company, Inc. D2003.1.14 (Gary)

WWC Holding Co. Inc. filed on July 30, 2010, a "Notice of Relinquishment of its Designation as an Eligible Telecommunications Carrier (ETC) in Montana." WWC states that on June 22, 2010, Verizon Wireless transferred to AT&T Mobility, LLC ("AT&T Wireless") all of the WWC customers, the network serving those customers and certain other assets in the Divested Area. The ETC designation was not transferred to AT&T Wireless. WWC is not providing service to any customers in Montana nor does it own a network to do so. Therefore, WWC is requesting the relinquishment of its Montana ETC designation.

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. CenturyLink/Qwest Corporation D2010.5.55 (Jim)

On July 29, 2010, CenturyTel of Montana, Inc. d/b/a CenturyLink and Qwest Corporation both filed a Motion for Supplemental Protective Order. The Movants seek to protect Hart-Scott-Rhodino Act documents and detailed digital subscriber line (competitive) information from public disclosure. Movants seek to restrict disclosure of this information to only the Commission, the Commission Staff, the Montana Consumer Counsel (MCC) and the MCC's consultants.

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

D2010.7.77 – NorthWestern Energy - Application for Approval of Avoided Cost Tariff for New Qualifying Facilities

D2010.7.78 – Havre Pipeline Company, LLC – Application to Decrease Rates and Charges to its Direct Rural Farmstead Customers

N2010.8.79 – PSC Initiated – Maximum Allowable Rates for Intrastate Operator Service Providers

N2010.8.80 – Central Montana Communications, Inc. – Request to Modify its Tariffs – Local Network Access Line Service and Supplementary Services – Non-Recurring Charges