

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 30, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

Commissioner Bob Anderson was absent but left votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(255) In the matter of Montana Power Company - Docket D97.7.90. Commissioner McCaffree moved to approve the protective order. Commissioner Rowe seconded the motion which passed unanimously.

256. In the matter of LDDS World Com - Docket N97.6.100. On June 11, 1997, LDDS World Com filed tariff revisions to introduce a new plan to the Home Advantage Service; and a textual change to the Rules and Regulation section. Commissioner Rowe moved to approve the tariff revisions. Commissioner McCaffree seconded the motion which passed unanimously.

(257) In the matter of MCI Telecommunications - Docket N97.6.102. On June 13, 1997, MCI Telecommunications filed Tariff Transmittal Letter No. 97-10, proposing to grandfather Option M (Hotel Direct) and Option T (Hospitality MCI); and to make textual changes to footnote numbers. Commissioner McCaffree moved to approve the grandfathered Option M and Option T. Commissioner Rowe seconded the motion which passed unanimously.

(258) In the matter of Valley Telecommunications - Docket N97.6.98 and Project Telephone - Docket N97.6.99. On June 11, 1997, Valley Telecommunications and Project Telephone Company filed to withdraw their existing Pay station Service and Customer Owned Coin-Operated Telephone Service offerings pursuant to ARM 38.5.2760 and to replace them with Payphone Provider Service, which Valley and Project propose to offer as a new, detariffed service pursuant to 69-3-810, MCA. Commissioner Oberg moved to suspend the filings and to consolidate into Docket D97.2.33, the payphone inquiry proceeding. Commissioner McCaffree seconded the motion which passed unanimously.

(259) In the matter of Hot Springs Telephone Co. - Docket N97.6.107. On June 1, 1997, Hot Springs Telephone Co. filed to introduce a Local public Access Line Service tariff pursuant to orders issued by the Federal Communications Commission in its payphone docket. Commissioner Rowe moved to approve the filing on an interim basis pending the outcome of Docket D97.2.33 and consolidate the filing into that docket. Commissioner McCaffree seconded the motion which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(260) In the matter of Docket TN1860, Jill Michelle Richards dba Whitefish Taxi and Kiddie Cab, Whitefish, Montana, PSC No. 9385, requests authorization to

reduce rates for additional passengers within Whitefish Proper from \$2.50 to \$1.00 and to reduce the charge for children under the age of 12 (when traveling with a paying adult) from \$1.00 to free.

Class B - Passengers between all points and places within Whitefish, Montana and an eleven (11) mile radius thereof. Limitations: 1) Transportation is prohibited south on U.S. Highway 2 at the intersection of U.S. Highway 2 and 40. 2) Transportation is restricted to that provided by vehicles with rated seating capacity of seven or less. 3) Transportation in limousine service is prohibited. 4) Transportation of Burlington Northern crews is prohibited. 5) Transportation of skiers is prohibited to or from the Big Mountain Ski area from Thanksgiving Day through Easter Sunday. 6) Transportation to or from the airport is prohibited. Commissioner Rowe moved to reduce rates for additional passengers within Whitefish Proper. Commissioner McCaffree seconded the motion which passed unanimously.

APPEARANCE  
Laura Calkin  
Centralized Services

(261) In the matter of the Approval of August 1997 Calendar, Commissioner Rowe moved to approve the August 1997 calendar. Commissioner McCaffree seconded the motion which passed unanimously.

(262) In the matter of the approval of the minutes for the weeks of June 2, 1997, June 9, 1997 and June 23, 1997, Commissioner Rowe moved to approve the minutes. Commissioner McCaffree seconded the motion which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 30, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

Commissioner Bob Anderson was absent, but left his proxy to Commissioner Rowe.

APPEARANCE

Mike Lee, Karen Hammel

(263) In the matter of the Commission's discussion of US West Communications' rate rebalancing docket and objections of Montana Consumer Counsel to US West Communications' responses to data requests in Docket D96.12.220; Commissioner Rowe moved to grant the motion of the Montana Consumer Counsel noting US West Communications appears to comply with all but 6 and 7 and approving staff recommendations on 6 and 7 for material for information to be supplied. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 1, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE  
Bonnie Lorang

(264) In the matter of the Commission's discussion of appointments to the Montana Interim Universal Access Program; Commissioner McCaffree moved to appoint the oversight members as recommended by the Chair. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE  
Kate Whitney, Mike Sheard, Martin Jacobson

(265) In the matter of the Commission's discussion of Extended Area Service in Great Falls by US West Communications and its efforts for public information, Docket D95.10.146; Commissioner Anderson moved to instruct staff to prepare an order initiating a Commission complaint against US West Communications for its implementation of Extended Area of Service in Great Falls. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE  
Kate Whitney

(266) In the matter of the Commission's discussion of unauthorized switching of toll carriers commonly know as slamming, Docket PSC-L-97.6.3-RUL; Commissioner Rowe moved to notice the rules as required by MAPA. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE  
Bonnie Lorang, Robin McHugh

(267) In the matter of the Commission's discussion of rules to implement the Universal Access Program, Docket PSC-L-97.6.2-RUL; Commissioner Rowe moved to notice the rules as required by MAPA. Commissioner McCaffree seconded the motion which passed unanimously.

APPEARANCE  
Wayne Budt, Dan Elliott, Robin McHugh

(268) In the matter of the Commission's discussion of its budget and employee compensation as related to employee retention; Commissioner Rowe moved to offer staff economist, Mike Sheard (an exempt employee), a retention offer of one grade level and payment of interest on Public Employee Retirement System repayment. Commissioner Anderson seconded the motion which passed 4 to 1 with Commissioner Anderson, Fisher, Oberg and Rowe voting aye and Commissioner McCaffree dissenting.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, July 7, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(269) In the matter of Montana Power Company - Docket D97.3.55. In March 1997, Montana Power Company filed an Electric Integrated Least Cost Resource Plan Status Report after the PSC granted its request for a waiver of the requirement to file a complete plan. In April 1997 the PSC issued a Notice of Filing and Opportunity to Comment on the Status Report. No comments were received. A Notice of Commission Action has been drafted which closes this Docket. Commissioner Anderson moved to approve the Notice of Commission action and close Docket D97.3.55. Commissioner Rowe seconded the motion which passed unanimously.

(270) In the matter of Central Montana Communications - Docket D97.2.33. On June 26, 1997, Central Montana Communications filed new tariffs to replace its original payphone tariff filing of last December (N96.12.214) that was made pursuant to orders issued by the Federal Communications Commission. The original filing had been suspended in its entirety. Commissioner Oberg moved to approve the replacement filing on an interim basis pending the outcome of the payphone inquiry proceeding, with the exception of the company's proposed elimination of semipublic telephone service. Commissioner McCaffree seconded the motion which passed unanimously.

(271) In the matter of Express Pipeline Partnership - Docket D96.5.91. Express Pipeline Partnership has filed a Notice of Federal Common Carrier Status satisfying the Commission's direction of July 3, 1996. Commissioner McCaffree moved to close the docket. Commissioner Rowe seconded the motion which passed unanimously.

ADDITIONAL ITEMS

(272) In the matter of Pacific Telecom, Inc. - Docket N97.6.103. On June 13, 1997 PTI filed a promotional offering in which the non-recurring charge (\$28.95) will be waived when residential customers subscribe to additional residential lines. The offering will run through August 22, 1997. Commissioner Rowe moved to approve the promotional offering. Commissioner McCaffree seconded the motion which passed unanimously.

(273) In the matter of US West Communications - Docket N97.6.106. On June 13, 1997, US West filed textual tariff changes to their Feature Plus Upgrade Package, changing the number of qualifying features from any number to a minimum of 2, and also renaming the Expansion Business Package to Growing Connection Packages. Commissioner Rowe moved to approve the textual changes. Commissioner McCaffree seconded the motion which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 8, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Martin Jacobson

(274) In the matter of the Commission's discussion of Docket D96.2.22; Commissioner McCaffree moved to direct staff to draft administrative rules for further Commission consideration to implement recent legislation to enact electric and gas industry restructuring to implement direct customer access. Commissioner Rowe seconded the motion, which passed unanimously.

(275) In the matter of the Commission's discussion of a complaint against US West Communications about implementation of Extended Area Service, Docket D97.7.116; Commissioner Anderson moved to issue the complaint subject to final editing. Commissioner McCaffree seconded the motion which passed unanimously.

APPEARANCE

Eric Eck, Karen Hammel

(276) In the matter of the Commission's discussion of a request from US West Communications for a protective order for certain information in its annual report to the commission, Docket N97.6.115; Commissioner Anderson moved to deny US West's motion for a protective order on Schedules 23, 24 and 27 of the annual report. Commissioner McCaffree seconded the motion, which passed 3 to 2, with Commissioners Anderson, McCaffree and Rowe voting aye and Commissioners Fisher and Oberg dissenting.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 8, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE  
Karen Hammel

(277) In the matter of the Commission's discussion of requests pertaining to noticing and hearing of interconnection agreements; Commissioner Rowe moved to notice Havre Answering Service - D97.6.105 and Beaverhead Electronics - D97.6.104 Interconnection with US West Communications and deny the request to approve the agreements without a hearing or opportunity for intervention. Commissioner Anderson seconded the motion, which passed unanimously.

APPEARANCE  
Vicki Nelson, Karen Hammel

(278) In the matter of the Commission's discussion of Ronan Telephone Company's request for a waiver of filing of certain costing information, Docket N97.6.101; Commissioner Rowe moved to grant the waiver of Ronan Telephone for certain cost studies as required by ARM 38.5.2735(1)(f) and approve tariffs associated and include language directing the utility company to conduct public information meetings. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE  
Wayne Budt, Dan Elliott, Robin McHugh

(279) In the matter of the Commission's discussion of its nomination for Employee Recognition Day; Commissioner Oberg moved to nominate the Telephone Team (Karen Hammel, Ron woods, Mike Sheard and Kate Whitney). Commissioner Rowe seconded the motion, which passed unanimously.

(280) In the matter of the Commission's discussion of exempt employee pay; Commissioner Oberg moved to approve a one grade increase for Will Rosquist to be effective July 7, 1997. Commissioner Rowe seconded the motion which passed 4 to 1 with Commissioners Anderson, Fisher, Oberg and Rowe voting aye and Commissioner McCaffree dissenting.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, July 14, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner Rowe was absent, but left his votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(281) In the matter of Energy West - Docket D97.6.112. On June 26, 1997 Energy West filed an application seeking authority to issue and sell not more than \$8,000,000 in long-term debt securities. The Company notes that it has expanded its plant in Ulm, Cascade and West Yellowstone, Montana. It has also acquired the distribution system in Payson, Arizona. The Company believes that its level of short-term debt and favorable interest rates make this an appropriate time to convert it short-term debt into long-term securities. A default order has been drafted. Commissioner Anderson moved to approve the application. Commissioner McCaffree seconded the motion which passed unanimously.

(282) In the matter of MCI Telecommunications - Docket N97.6.109. On June 25, 1997 MCI Telecommunications Corp., filed Transmittal Letter No. 97-11 proposing to make text changes to the IntraLATA PBX Reprogramming Promotion and the 1+ Local Toll Promotion. Commissioner McCaffree moved to approve Transmittal Letter No. 97-11. Commissioner Oberg seconded the motion which passed unanimously.

(283) In the matter of US West - Docket N97.6.110. US West has filed Tariff Transmittal 97-22 with modifications to the terms and conditions of the Guaranteed Rate Calling Connection Plan. The filing changes the usage thresholds -- adding an option for a 35 hour usage minimum and adjusting rates to lower levels for less than 250 hours. The filing was made to adjust for potential customer impacts of the EAS conversions scheduled during 1997. Commissioner McCaffree moved to approve Tariff Transmittal 97-22. Commissioner Oberg seconded the motion which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(284) In the matter of Docket T-97.23.RI. On June 4, 1997, Montana Tariff Bureau, Agent, Helena, Montana 59624 (for and on behalf of Rocky Mountain Moving & Storage, Missoula, Montana, in an independent action) filed a request for increased Distance Commodity Rates of 10%. This increase would only apply when other carriers, booking agents, brokerage firms or others not holding Montana intrastate household goods operating authority tender third party shipments with the understanding that they expect a commission or fee for their participation. No protests were received. The rate increase will become effective July 21, 1997. Commissioner McCaffree moved to grant the increase in the Distance

Commodity Rates. Commissioner Oberg seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 15, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE  
Martin Jacobson

(285) In the matter of the Commission's discussion of Montana Power Company's natural gas case and pending motions from Montana Power for reconsideration and revision of the procedural schedule, Docket D96.2.22; Commissioner McCaffree moved to deny Montana Power's motion to reconsider its previous decision on hearing the docket and to revise the procedural schedule. Commissioner Rowe seconded the motion, which passed 3 to 2, with Commissioners Anderson, McCaffree and Rowe voting aye and Commissioners Fisher and Oberg dissenting.

(286) In the matter of the Commission's discussion of Montana-Dakota Utilities' application to revise its gas tracking tariffs, Docket D97.3.43; Commissioner Oberg moved to direct staff to draft an order approving MDU's revision of its gas tracking procedure with certain modifications. Commissioner Anderson seconded the motion which passed unanimously.

APPEARANCE  
Joel Tierney

(287) In the matter of the Commission's discussion of Yellowstone Pipeline, Docket D97.3.54; Commissioner McCaffree moved to approve the final order as drafted by staff. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE  
Kate Whitney, Bonnie Lorang

(288) In the matter of the Commission's consideration of a second addendum to the US West Communications - PSC settlement agreement; Commissioner Anderson moved to approve the revised settlement document as recommended by staff. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE  
Karen Hammel

(289) In the matter of the Commission's discussion of the Section 271 compliance docket, Docket D97.5.87; Commissioner Rowe moved to grant late intervention to Eclipse and Montana Consumer Counsel. Commissioner Anderson seconded the motion which passed unanimously.

(290) In the matter of the Commission's discussion of the US West Communications ISDN tariff filing, Docket D96.7.121; Commissioner McCaffree moved to grant AT&T's motion to withdraw from the docket. Commissioner Anderson seconded the motion which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, July 28, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner Rowe was on vacation, but left his votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(291) In the matter of SPRINT - Docket N97.7.118; On July 7, 1997, Sprint Communications filed tariff changes to introduce Sprint Prepaid FONCARD Service; and change the Spree Instant FONCARD text. This was a notice item on Agenda No. 97-7-14. Commissioner McCaffree moved to approve the tariff changes. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(292) In the matter of CENEX INC. - Docket D97.4.80; On April 28, 1997, Cenex, Inc. filed an application for authority to revise its tariff for Crude Oil Gathering Lines. The new tariff will reflect its official name change from Farmers Union Central Exchange to Cenex, Inc., eliminate the current Pondera Field to Conrad tariff, define ASTM Standard Methods for water and sediment and define light and medium crude oil types. This will not change any associated rates. A memo concerning this filing was routed last week and it is ready for action. Commissioner McCaffree moved to approve the tariff changes and issue Default Order No. 5992. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(293) In the matter of BLACK HILLS POWER & LIGHT - Docket D97.6.108; On June 24, 1997, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on July 2, 1997. Requests for hearing were due by July 28, 1997. No requests have been received. This application will increase rates by \$17,156 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted. Commissioner McCaffree moved to approve Default Order No. 5993. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(294) In the matter of HOT SPRINGS TELEPHONE CO. - Docket N97.6.107; On July 7, 1997, Hot Springs Telephone Co. filed to correct its local public access line tariff that was approved by the Commission on an interim basis last month by revising its rate for "dumb" local public access line service from \$22/month to \$17/month. The new rate is the same as the one-party business rate. Staff recommends approval (on an interim basis again). Commissioner Oberg moved to approve the correction on an interim basis pending outcome of D97.2.33. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(295) In the matter of CLARK FORK TELECOMMUNICATIONS, INC - Docket N97.6.114; On June 30, 1997, Clark Fork Telecommunications, Inc., filed a revised tariff page listing enhanced Internet access charges allowing multiple logins with greater access speeds in the larger CFT exchanges - Thompson Falls,

Superior and Plains. Commissioner Anderson moved to approve the revised tariff page. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

Additional Item:

(296) In the matter of MPC D97.7.90 - Enron Capitol & Trade Resources (ECT) request for late intervention; Commissioner Oberg moved to grant late intervention as long as it does not interrupt the procedural schedule. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye via telephone call immediately following the business meeting.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(297) In the matter of Docket T-97.20.RRV - A four-lane highway bridge may be constructed over a Montana Rail Link, Inc. (MRL) branch line located near North Main Street in Helena, Montana. On May 13, 1997 the City of Helena requested an exception to the Public Service Commission's Administrative Rule on Overhead Clearance in General (Section 38.4.404). The applicant requested a variance to allow a 20.5 foot permanent clearance from the top of the rail to the overhead bridge structure under North Main Street, instead of a 22.5-foot clearance.

The applicant stated that requiring the new bridge to have a clearance of 23.0 feet above the top of the rail would require a significant raise in the finish grade of North Main Street. This raise in finish grade would in turn require the taking of right-of-way from the nearby city park. The City of Helena maintains that the construction of a four-lane highway bridge, without the requested variance, over MRL branch line on North Main Street would cause significant approach problems for the public park facilities, as well as requiring additional right-of-way from the public park. This variance request was noticed on June 10, 1997 and no protests were received.

Commissioner Anderson moved to approve the request for the variance. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(298) In the matter of Docket T-97.24.ST - City-County Sanitation, Helena, Montana has filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 2879, to City-County Sanitation, Inc., Helena, Montana.

Class D - Garbage and refuse within the City of Helena, Montana and a 35 mile radius thereof.

Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Anderson moved to approve the transfer of PSC No. 2870. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(299) In the matter of Docket T-97.82.RI - On June 12, 1997, Montana Tariff Bureau, Agent, Helena, Montana 59624 (for and on behalf of Mergenthaler Moving & Storage Co., Helena, Montana, in an independent action) filed a request for increased Distance Commodity Rates of 10%. This increase would only apply when other carriers, booking agents, brokerage firms or others not holding Montana intrastate household goods operating authority tender third party shipments with the understanding that they expect a commission or fee for their participation. No protests were received. The rate increase will become

effective August 4, 1997. Commissioner Anderson moved to approve the 10% increase in distance Commodity Rates. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(300) In the matter of Docket T-97.85.OTSC - In the matter of the cancellation of PSC No. 4326, Edwin L. Maughan dba Maughan's Transfer, Ronan, Montana for failure to comply with vehicle registration requirements. An Order to Show Cause has been issued and received by the motor carrier, with no response.

Class C - Property within the town of Ronan, Montana and to or from points tributary hereto, but within a distance not exceeding fifty miles in any direction from said town.

Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited. Such operations are not to interfere with existing motor carriers.

Commissioner Oberg moved to cancel PSC No. 4326. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(301) In the matter of Docket T-97.89.OTSC - In the matter of the cancellation of PSC No. 9381, David and Paula Creech dba Quarter Circle PK Taxi Service, Cut Bank, Montana for failure to maintain required liability insurance. An Order to Show Cause has been submitted to the carrier by certified mail with no response.

Class B - Passengers 1) between all points and places within Glacier County; and 2) from points in Glacier County to the Great Falls International Airport. Limitations:

Transportation of Burlington Northern crews is prohibited. Utilization of vehicles with a rated seating capacity of more than six (6) passengers is prohibited.

Commissioner Oberg moved to cancel PSC No. 9381. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(302) In the matter of TN1862 - John and Carma Sinerius dba Just an Experience, Virginia City, Montana request permission to suspend PSC No. 9217 for the period May 15, 1997 to November 30, 1997. An affidavit of no operations has been received. The permit allows for seasonal operations only.

Class B - Passengers between all points and places within Madison County. Limitations: 1) Transportation shall originate and terminate in Virginia City, Nevada City, Ennis, or West Fork of the Madison, Montana. 2) Transportation is limited to four wheel drive vehicles. 3) Transportation is limited to seasonal operations only commencing May 15th and continuing through November 30th of each year.

Commissioner McCaffree moved to suspend PSC No. 9217 for a period of six months. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE  
Laura Calkin  
Centralized Services

(303) In the matter of the approval of Commission Minutes; Commissioner McCaffree moved to approve the Commission Minutes for the weeks of June 30,

1997, July 7, 1997, and July 14, 1997 Minutes. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(304) In the matter of the approval of the September, 1997 Calendar. Commissioner McCaffree moved to approve the September, 1997 calendar. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 29, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner Rowe was on vacation, but left his votes with the Commission Secretary.

APPEARANCE

Karen Hammel, Bonnie Lorang, Mike Lee

(305) In the matter of the Commission's discussion of certain information and matters related to The Telecommunications Act of 1996 and related FCC proceedings; Commissioner Anderson moved to send a letter to the FCC regarding the commissions intent to use a Montana Cost Study Model at least initially. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Karen Hammel

(306) In the matter of the Commission's discussion of matters related to U S West Communications rate rebalancing docket - Docket No. D96.12.220; Commissioner Oberg moved to grant late intervention to MITS provided they do not delay the proceedings. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Anderson. Commissioner Anderson voted him aye. This work session was continued to July 31, 1997 at 11:00 a.m.

(307) In the matter of the Commission's discussion of US West Communications request for limited pricing flexibility to meet competition in the Glendive and Terry exchanges - Docket No. D97.7.125; Commissioner Oberg moved to issue a Protective Order per Commission practice and issue a Notice Of Filing and Opportunity for Intervention and Comment. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Anderson. Commissioner Anderson voted him aye.

APPEARANCE

Martin Jacobson, David Burchett

(308) In the matter of the Commission's discussion of Montana Dakota Utilities request for a revise gas tracking procedure - Docket No. D97.3.43; Commissioner Oberg moved to approve the draft order approving the revised procedure subject to annual review of numbers and policy related issues. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Oberg. Commissioner Oberg voted him aye.

APPEARANCE

Robin McHugh, Dan Elliott

(309) In the matter of the Commission's discussion of complaints filed by CELP (Colstrip Energy Limited Partnership) - D997.7.127 and YELP (Yellowstone

Energy Limited Partnership) - D97.7.129 against Montana Power Company over "light loading" of certain QF facilities - Docket No. D97.7.127; Commissioner Anderson moved to notice the complaints with a 10 day response period from MPC. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Anderson. Commissioner Anderson voted him aye.

APPEARANCE

Denise Peterson, Will Rosquist

(310) In the matter of the Commission's discussion of issuing a Protective Order for certain information filed on the Market Based Rate Filing case - Docket No. D97.2.29; Commissioner Oberg moved to issue MPC's request for a protective order for certain information requested as a late filed exhibit. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe left his proxy to Commissioner Anderson. Commissioner Anderson voted him aye.

APPEARANCE

Scott Fabel

(311) In the matter of the Commission's discussion of Shelby Gas Association - Docket No. D96.8.132; Commissioner Oberg moved to grant the request for an extension to its temporary rate reduction to September 30, 1997. Commissioner McCaffree seconded the motion. Commissioner Rowe left his proxy to Commissioner Oberg. Commissioner Oberg voted him aye.

There being no further business to come before the Commission the meeting was adjourned.

\_\_\_\_\_  
DAVE FISHER, Chairman

\_\_\_\_\_  
NANCY McCAFFREE, Vice Chair

\_\_\_\_\_  
BOB ANDERSON, Commissioner

\_\_\_\_\_  
DANNY OBERG, Commissioner

ATTEST:

\_\_\_\_\_  
BOB ROWE, Commissioner

Kathlene M. Anderson  
Commission Secretary

(SEAL)