

Minutes.....July 10, 2001 9:00 a.m.

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 10, 2001, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Matt Brainard, Commissioner

Commissioners Anderson and Rowe were absent and left written votes with the Commission Secretary.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(216) In the matter of T-01.11.PCN; On May 11, 2001 Kenneth J. Wilson, Inc. dba Havre Taxi & Limousine, Havre, Montana filed an application for a Certificate of Public Convenience and Necessity. The application was noticed to the public on June 11, 2001 and no protests were received.

Class B - Passengers between all points and places in Blaine, Chouteau, Hill, Liberty and Toole Counties.

Commissioner Brainard moved to approve the application. Commissioner Stovall seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(217) In the matter of T-01.12.PCN; On May 11, 2001 Louis (Pat) Bibeau dba PS Limo Service, Havre, Montana filed an application for a Certificate of Public Convenience and Necessity. The application was noticed to the public on June 11, 2001 and no protests were received.

Class B – Passengers in limousine service between all points and places in Blaine, Chouteau, Hill, Liberty, Phillips and Toole Counties. LIMITATION: Transportation of railroad crews is prohibited.

Commissioner Stovall moved to approve the application. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(218) In the matter of T-01.14.ST; On May 3, 2001 John Rusinski dba Andy' s Motor Freight, Anaconda, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 1453, to Gerald Paul Clark dba Andy' s Motor Freight, Anaconda, Montana. The application for transfer was noticed to the public on June 11, 2001 and there were no protests.

Class B - Property within the City of Anaconda, Montana and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said city. Limitation: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner Brainard moved to approve the transfer. Commissioner Stovall seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(219) In the matter of T-01.15.ST; On May 21, 2001 Randall Eugene Johnson dba Flathead Glacier Transportation Co., Whitefish, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 9015 to Flathead Glacier Transportation LLC, Whitefish,

Montana. The application for transfer was noticed to the public on June 11, 2001 and there were no protests.

Class B - 1) Persons, baggage and express within Flathead County, Montana and 2) Persons and baggage between all points and places in Flathead County, Montana and the Veterans Hospital at Fort Harrison.

Limitations: 1) Movements both originating and terminating within the city limits of Kalispell, Montana are prohibited. 2) Carrier is precluded from operating vehicles with a seating capacity above eight. 3) Carrier is precluded from transporting Burlington Northern train crews. 4) Transportation of the following is prohibited. Audit and accounting media, data processing media and business records; processed and unprocessed film and microfilm, and incidental supplies relating to snapshots and microfilm; non negotiable securities; non negotiable bank checks and valuable papers between all points and places in the State of Montana.

Commissioner Stovall moved to approve the transfer. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(220) In the matter of TN2101; Raphael Roberts dba Airport Shuttler, Missoula, Montana requests permission to lease PSC No. 9384 John Kelly dba Airport Shuttler, Missoula, Montana for a six month period, July 10, 2001 to January 10, 2002, pending completion of a sale and transfer procedure.

Class B - Passengers (a) from hotels, motels, businesses, and residences within the city of Missoula, Montana and a ten (10) mile radius thereof to the Missoula International Airport and (b) from Missoula International Airport to hotels, motels, businesses, and residences within the City of Missoula and a ten (10) mile radius thereof. All transportation under this certificate will either originate or terminate at Missoula International Airport. Limitations: (1) Transportation is limited to suburban/van service and excludes motor coaches, buses, and limousines. Limousine and charter services are prohibited. (2) Transportation of groups requiring a vehicle with rated seating capacity of nine (9) passenger or more is prohibited. (3) Transportation of airline passengers who are being transported by alternate means from Missoula International Airport as a result of weather related problems or airport closure is prohibited. (4) Transportation of all athletic teams, student organizations, and other groups in competition with the University of Montana is prohibited.

Commissioner Brainard moved to approve the lease. Commissioner Stovall seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(221) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of July 3, 2001. Commissioner Brainard seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

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

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

Minutes.....July 10, 2001

9:30 p.m.

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 10, 2001, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Matt Brainard, Commissioner
Bob Rowe, Commissioner, via telephone

Commissioner Anderson was absent and left votes on Docket No. D2000.5.70 and the NARUC work session.

APPEARANCE

Robin McHugh, Mike Lee

(222) In the matter of the Commission's discussion of Qwest's 271 application, Docket No. D2000.5.70; Commissioner Brainard moved to implement a CLEC market survey including a protective order for proprietary information. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Kate Whitney

(223) In the matter of the Commission's discussion of Qwest's directory assistance detariffing, Docket No. D2000.1.4; Commissioner Rowe moved to approve the plan with staff's changes to the generic language proposed by Qwest. Commissioner Stovall seconded the motion, which passed with a vote of 4-0. Commissioner Anderson did not leave a vote on this issue.

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

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

Minutes.....July 12, 2001 9:00 p.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, July 12, 2001, the following members were present:

- Gary Feland, Chairman
- Jay Stovall, Vice Chairman
- Bob Anderson, Commissioner
- Matt Brainard, Commissioner, via telephone

Commissioner Rowe was absent and did not leave votes.

APPEARANCE

Robin McHugh, Wayne Budt, David Hoffman

(224) In the matter of the Commission's discussion of hiring a new attorney; Commissioner Stovall moved to allow Robin McHugh to do what is necessary to get the prospective hire here to interview, including purchasing an airline ticket. Commissioner Anderson seconded the motion, which failed with a vote of 2-2. Commissioner Brainard moved to amend the motion such that should this prospective hire not be chosen for the job that the commission adopt paying expenses for others to interview. This motion died for lack of a second. Commissioner Brainard moved to split the ticket price with the prospective employee, and split travel expenses with other candidates should he not be hired. Chairman Feland seconded the motion, which passed with a vote of 4-0.

(225) In the matter of the Commission's discussion of out-of-state travel; Commissioner Anderson moved to authorize Rhonda Simmons to attend the NARUC Summer Meetings in Seattle. Commissioner Stovall seconded the motion, which passed with a vote of 4-0.

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

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary
(SEAL)