

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, May 30, 2002, the following members were present:

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

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

APPEARANCE

Steve Vick
Utility Division

(233) In the matter of Treeline Springs, L.L.C., Docket No. D98.12.289; On May 2, 2002, Treeline Springs L.L.C., a water and wastewater company at Big Sky, Montana, filed a request with the Commission for approval to extend for a third time, interim rates on file for one more year. Commissioner Brainard moved to approve the request. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Nickie Eck, Compliance Specialist
Transportation & Centralized Services Division

(234) In the matter of T-02.25.ST; On April 25, 2002 Wild Horse Limousine & Carriage Co., Inc., Columbia Falls, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 9397, to Adam, Inc. dba Wild Horse Limousine & Carriage Co., Kalispell, Montana.

Class B - Passengers in limousine service between all points and places within Flathead County.

SUB A Class B – Passengers in limousine service between all points and places in the State of Montana. Limitation: All transportation movements must originate in Flathead County, Montana.

Transfer application was noticed to the public on May 3, 2002 and no protests were received. Commissioner Anderson moved to approve the transfer. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(235) In the matter of T-02.26.ST; On April 25, 2002 Vester A. Wilson II and Sue E. Wilson, dba Bitterroot Disposal, Hamilton, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 1655, to Waste Connections, Inc., Miles City, Montana.

SUB A Class D - Garbage within the City of Hamilton, Montana, and between all points tributary thereto, but within a distance not exceeding twenty-five (25) miles in any direction from said city.

SUB B Class C - Property within the town of Hamilton, Montana and to or from points tributary

thereto, but within a distance not exceeding ten (10) miles in any direction from said town. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB C Class D - Garbage and solid waste within that portion of Ravalli County extending southward from an east-west line drawn through the intersection of Skalkaho Creek and U.S. Highway 93.

SUB D Class D - Garbage, refuse and rubbish from the Missoula- Ravalli County Line south to a line drawn east and west through the Tucker Crossing Road, and all intermediate points. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Transfer application was noticed to the public on May 3, 2002 and no protests were received. Commissioner Brainard moved to approve the transfer. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(236) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of May 20, 2002. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

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)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, May 30, 2002, the following members were present:

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

Commissioner Rowe was present via telephone for the first work session, then the final votes were left open for his vote which he emailed to the Commission Secretary.

APPEARANCE

Mike Lee, Monica Tranel

(237) In the matter of the Commission's discussion of Qwest Corporation's Application for Approval of Section 271, Public Interest, Docket No. D2000.5.70; Commissioner Rowe moved to amend the draft by noting Commission concerns over carrier access charge and noting and stating the Commission requires filing a revenue requirements and access charge reduction case by October 31, 2002. Commissioner Stovall seconded the motion, which failed with a vote of 2-3. Commissioners Rowe and Stovall voted aye. Commissioners Anderson, Brainard and Feland dissented.

APPEARANCE

Mike Lee, Monica Tranel

(238) In the matter of the Commission's discussion of Qwest Corporation's Application for Approval of Section 271, Public Interest, Docket No. D2000.5.70; Commissioner Anderson moved to deny AT&T Communications of the Mountain States, Inc.'s motion to reopen the proceeding. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Monica Tranel, Mike Lee

(239) In the matter of the Commission's discussion of the Federal Communications Commission's Unbundled Network Elements Triennial Review Proceeding; Commissioner Anderson moved to accept staff recommendations and issue the letter as drafted. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Monica Tranel, Martin Jacobson, Kate Whitney

(240) In the matter of the Commission's discussion of Directory Service, Inc. and Network Comm Group Cramming Complaint, Docket No. D2002.3.29; Commissioner Brainard moved to approve and issue the order as drafted imposing fines on DSI and NCG. Commissioner Feland seconded the motion. Commissioner Anderson offered a substitute motion to divide the proposed penalty by 10, which motion died for lack of a second. The initial motion passed with a vote of 4-0. Commissioner Rowe's vote was unclear.

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)