

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, August 13, 2002, the following members were present:

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

Commissioner Rowe was at Camp NARUC but left written votes with the Commission Secretary.

APPEARANCE

Steve Vick
Utility Division

(342) In the matter of Havre Pipeline Company, Docket No. D2002.8.99; On August 1, 2002, Havre Pipeline Co. filed an application for an approximate 37.5 percent decrease in rates. Pursuant to Docket 83.9.65, Order No. 5095a, Havre has determined that the new rate shall be \$2.0484 per MCF effective September 1, 2002. This represents a \$1.2316 decrease from current rates. This is for final approval. Commissioner Brainard moved to approve rate decrease. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(343) In the matter of Qwest Communications, Docket No. N2002.6.66; Qwest filed tariff transmittal 02-17 on June 13, 2002. In this filing Qwest is requesting two new proposed residential packages named Two-Line PopularChoice and Two-Line CustomChoice-Complete. Two-Line PopularChoice contains the same features as the PopularChoice. In addition, this package will also include an additional line. The Two-Line CustomChoice-Complete contains the same feature as the current CustomChoice-Complete package. In addition, this package will also include an additional flat-rate residence line and Line-Backer. Commissioner Stovall moved to approve the proposed residential rate packages. Commissioner Anderson seconded the motion, which passed with a vote of 4-1. Commissioners Anderson, Feland, Rowe and Stovall voted aye. Commissioner Brainard dissented.

(344) In the matter of CenturyTel, Docket No. N2002.7.90; CenturyTel Filed tariff Transmittal No. 02-06. In this filing CenturyTel is requesting to change the deposit regulations related to conditions under which the Company may request security deposits from carriers. The company stated that it is facing greater risks for uncollectible due to the payment defaults and feels these revisions are necessary to ensure that adequate security is held as a guarantee of payment. Commissioner Stovall moved to approve the tariff revision. Commissioner Feland seconded the motion. Commissioner Anderson moved to table the motion and defer the item to a work session. Commissioner Stovall seconded the motion, which passed with a vote of 4-0. Commissioners Anderson, Brainard, Feland and Stovall voted aye. Commissioner Rowe did not leave a vote on this issue.

(345) In the matter of Qwest Communications, Docket No. N2002.7.92; On July 18, 2002 Qwest filed Tariff Transmittal 02-20, Business Caller ID Promotion. New or existing business customers who purchase CustomChoice for Business that includes Caller ID Name and Number during the promotional period of August 5, 2002 through September 27, 2002 will receive a free Caller ID unit and will only pay \$4.95 shipping and handling. In addition, a business who orders Caller ID Name and Number on a stand-alone basis will receive a waiver of the nonrecurring charge to install the feature and will receive a free Caller ID unit and will only pay \$4.95 shipping and handling. Orders must be placed and/or completed

during the promotional period or at the next available offered due date beyond the end of the promotional period. The promotion will be offered to business customers only where service is technically available. Commissioner Stovall moved to approve the promotion. Commissioner Feland seconded the motion, which passed with a vote of 4-1. Commissioners Anderson, Feland, Rowe and Stovall voted aye. Commissioner Brainard dissented.

(346) In the matter of NorthWestern Energy, Docket No. N2002.6.64; On June 7, 2002, NorthWestern Energy filed a proposed tariff schedule to establish a BPA Residential Exchange Credit for residential and irrigation customers. NWE also proposed a cost tracking mechanism to facilitate full distribution of benefits to customers. The Commission approved the proposal on an interim basis on June 25 and provided an opportunity for interested persons to submit comments on the proposal. No comments were received. Staff recommends the Commission grant NWE final approval of the tariff schedule and tracking mechanism. Commissioner Anderson moved to approve the tariff schedule and tracking mechanism. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(347) In the matter of T-02.30.ST; On June 7, 2002 Hillhaven West, Inc., a Corporation, Great Falls, Montana, filed an application from transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 7458, to Kindred Nursing Centers West, LLC dba Park Place Health Care Center, Great Falls, Montana. Application was noticed to the public on July 5, 2002 and no protests were received.

Class B - Nonambulatory wheelchair persons, and, very occasionally people of ambulatory nature, between all points and places in the following counties: Cascade, Choteau, Judith Basin, Lewis and Clark, and Teton. Limitations: 1. Such transportation must originate or terminate in Cascade County. 2. The transportation of ambulatory persons shall be limited to those persons attendant to the nonambulatory wheelchair passengers.

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

(348) In the matter of T-02.31.ST; On June 7, 2002 Parkview Acres Convalescent Center, Dillon, Montana, filed an application for transfer of Montana Certificate of Public Convenience and Necessity, PSC No. 8924, to Kindred Nursing Centers West, LLC dba Parkview Acres Care & Rehabilitation Center, Dillon, Montana. Application was noticed to the public on July 5, 2002 and no protests were received.

Class B - Elderly and handicapped patients and specifically wheelchair-bound people (wheelchair transport) within the City of Dillon, Montana, and a seventy-five (75) mile radius thereof.

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

(349) In the matter of T-02.35.AR; On July 9, 2002 an Order to Show Cause was issued to Christie Transfer & Storage, Inc., Butte, Montana, PSC No. 476, for failure to file a 2001 Annual Report. The Annual Report was due on March 31, 2002. The Order to Show Cause was sent via certified mail and received by the carrier on July 10, 2002. There as been no response.

Class B - Household goods (as defined by Commission) between all points in the State of Montana over any public highways.

SUB A Class C - Property in the City of Butte, Montana, and to or from points immediately tributary thereto, subject to the limitation below. Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

In the matter of T-02.36.AR; On July 9, 2002 an Order to Show Cause was issued to Ravalli Motor Freight, LLC, Polson, Montana, PSC No. 646, for failure to file a 2001 Annual Report. The Annual Report was due on March 31, 2002. The Order to Show Cause was sent via certified mail and received by the carrier on July 18, 2002. There as been no response.

SUB A Class B - Household goods (as defined by Commission) from all points and places in Ravalli County to all points and places in the State of Montana and from all points and places in the State of Montana to points and places in Ravalli County.

In the matter of T-02.62.AR; On July 9, 2002 an Order to Show Cause was issued to Yellowstone Winter Guides dba Grayline of Yellowstone, West Yellowstone, Montana, PSC No. 8968, for failure to file a 2001 Annual Report. The Annual Report was due on March 31, 2002. The Order to Show Cause was sent via certified mail and received by the carrier on July 11, 2002. There as been no response.

SUB A Class B - Passengers, baggage and express within the City of West Yellowstone, Montana, and a twenty-five (25) mile radius thereof. Limitation: Transportation is limited to utilization of vehicles with rated seating capacity of ten (10) passengers or less.

In the matter of T-02.70.AR; On July 9, 2002 an Order to Show Cause was issued to Shawn L. Guymon and Kim R. Myers, a Partnership dba Classy Cabs, Columbia Falls, Montana, PSC No. 9379, for failure to file a 2001 Annual Report. The Annual Report was due on March 31, 2002. The Order to Show Cause was sent via certified mail and received by the carrier on July 12, 2002. There as been no response.

Class B - Passengers within the city of Columbia Falls, Montana, and a fifty (50) mile radius thereof. Limitations: (1) Transportation must originate or terminate within Columbia Falls, Montana, and a five (5) mile radius thereof. (2) Transportation from Glacier International Airport must terminate at Meadow Lake Resort. (3) Transportation by limousine service is prohibited. (4) Transportation originating or terminating in Lake County is prohibited. (5) Transportation originating in Kalispell, Bigfork or Whitefish is prohibited, except as part of a return trip, first originating in Columbia Falls or a five (5) mile radius thereof. (6) Transportation as a Medicaid provider is prohibited. (7) Transportation is limited to the use of seven passenger vehicles or less, with the exception of transportation of children and attendants to or from Big Mountain.

In the matter of T-02.76.AR; On July 9, 2002 an Order to Show Cause was issued to Riedlinger Investments, Inc. dba Yellowstone Taxi Service, West Yellowstone, Montana, PSC No. 9421, for failure to file a 2001 Annual Report. The Annual Report was due on March 31, 2002. The Order to Show Cause was sent via certified mail and received by the carrier on July 16, 2002. There as been no response.

Class B - passengers (1) between all points and places within West Yellowstone, Montana, and a forty (40) mile radius and (2) all points and places between West Yellowstone, Montana, and Ennis, Montana.

Commissioner Brainard moved to approve the termination of PSC No. 476. Commissioner Stovall seconded the motion. Commissioner Anderson offered a substitute motion to termination the authorities in T-02.35.AR, T-02.36.AR, T-02.62.AR; T-02.70.AR and T-02.76.AR (Action Items No. 3, 4, 6, 7, 8, respectively) en masse. Commissioner Stovall seconded the substitution motion, which passed unanimously. Commissioner Brainard cast Commissioner Rowe's proxy aye on Items 3, 4 and 6. Commissioner Rowe voted aye on Item 7. Commissioner Stovall cast Commissioner Rowe's proxy aye on Item 8.

(350) In the matter of TN2150; 4 X 4 Stage, Inc., Belgrade, Montana, requests permission to continue the lease of PSC No. 2278 to All Valley Cab, Inc., Belgrade, Montana, for a twelve month period, July 20, 2002 to July 20, 2003.

SUB D Class B - Persons between all points and place within Gallatin, Park and Madison Counties.

Commissioner Brainard moved to approve the continuation of the lease. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(351) In the matter of TN2151; Mary Belle Harper dba VIP Taxi Service, Livingston, Montana, requests permission to continue the lease of PSC No. 5682 to John P. Bechuck dba VIP Taxi Service, Livingston, Montana, for a six month period, August 4, 2002 to February 4, 2003.

Class B - Passengers and small packages between all points and places within Livingston, Montana, and a fifty (50) mile radius thereof. Limitations: (1) Movements which both originate and terminate within Bozeman, Montana, are prohibited. (2) Transportation service is restricted to cab or taxi service only. (3) Transportation service to be provided is restricted against utilizing vehicles in excess of eight (8) person capacity. (4) Transportation service to or from Gallatin Field in or near Belgrade, Montana, must originate or terminate in Livingston, Montana. (5) Transportation of Burlington Northern crews is prohibited. (6) Truck delivery service is prohibited.

SUB A Class C - Passengers between all points and places in the following counties: Broadwater, Gallatin, Granite, Jefferson, Lewis and Clark, Meagher, Mineral, Missoula, Park, Powell, Sanders, Stillwater, Sweetgrass, and Yellowstone. Limitation: (1) Transportation is limited to the account of Livingston Memorial Hospital or their successors in interest, and (2) Transportation in limousine service is prohibited.

SUB B Class B - Passengers and small packages between all points and places within Livingston, Montana, and a one hundred twenty-five (125) mile radius thereof. Limitations:

- (1) Movements which both originate and terminate within Bozeman, Montana, are prohibited.
- (2) Transportation service is restricted to cab or taxi service only.
- (3) Transportation service to be provided is restricted against utilizing vehicles in excess of eight (8) person capacity.
- (4) Transportation service to or from Gallatin Field in or near Belgrade, Montana, must originate or terminate in Livingston, Montana.
- (5) Transportation of Burlington Northern crews is prohibited.
- (6) Truck delivery service is prohibited.

Commissioner Brainard moved to approve the continuation of the lease. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(352) In the matter of T2152; Meridian Moving & Storage, Inc., Kalispell, Montana, requests permission to lease PSC No. 9367 to Ronald G. Bair dba Runnin' Bear Moving & Storage, Kalispell, Montana, for a three month period, August 13, 2002 to November 13, 2002.

Class C - Property in the City of Kalispell, Montana, and within a radius of ten (10) miles thereof. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

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

(353) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of August 5, 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 Tuesday, August 13, 2002, the following members were present:

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

Commissioner Rowe was at Camp NARUC but left written votes with the Commission Secretary.

APPEARANCE
Martin Jacobson, Mike Lee

(354) In the matter of the Commission's discussion of NorthWestern Energy's Annual Avoided Cost QFLT and STPP Filing, Docket No. D2002.7.80; Commissioner Anderson moved to approve the interim change to NorthWestern Energy's QFLT and STPP rates. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE
Martin Jacobson, Scott Fabel

(355) In the matter of the Commission's discussion of CenturyTel, Docket No. N2002.7.90; Commissioner Brainard moved to approve the tariff revision in Tariff Transmittal No. 02-06. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe left written vote aye on the Business Meeting Agenda. (This item was deferred from the business meeting.)

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)