

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 15, 2003, the following members were present:

Bob Rowe, Chairman  
Thomas J. Schneider, Vice Chairman  
Matt Brainard, Commissioner  
Greg Jergeson, Commissioner  
Jay Stovall, Commissioner

APPEARANCE

Steve Vick  
Utility Division

(150) In the matter of Sprint Communications Company LP, Docket No. N2003.3.39; On March 28, 2003, Sprint Communications Company, LP filed PSC Price List No.1 Revision # 190. The purpose of the filing is to Introduce Monthly Calling Plan and PayPal Plan, Introduce Sprint/Costco Prepaid PhoneCard, Increase Sprint Retail Prepaid Calling Card Option O (Costco) Payphone Surcharge, and for miscellaneous text changes. Sprint is requesting an effective date for the tariffs of April 4, 2003. Commissioner Jergeson moved to approve the price list revision. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 1. Commissioners Jergeson, Rowe, Schneider and Stovall voted aye. Commissioner Brainard dissented.

(151) In the matter of Citizens Telecommunications Company, Docket No. N2003.4.43; On March 31, 2003, Citizens Telecommunications Company filed tariff pages for Commission review and approval. The purpose of the filing is to (1) Introduce Frontier Choices Bundled Services for residential customers, (2) Grandfather Citizens Select and Citizens Select Plus and (3) Launch a promotion involving Frontier Choices. Frontier Choices Bundled Services is a new offering that affords residential customers a combination of local services and features. Frontier Choices Bundled Services replace Citizens Select and Citizens Select Plus Services. A promotional offering waiving the nonrecurring charges for existing residential customers who order a Frontier Choices Bundled Service and in addition, existing customers who order a Frontier Choices Bundled Service will receive a \$10.00 credit on their first months bill is planned for the period between May 6, 2003 and August 3, 2003. The promotion is offered only where technically available. Citizens is requesting a May 6, 2003 effective date. Commissioner Schneider moved to approve the tariff filing. Commissioner Jergeson seconded the motion, which passed unanimously.

(152) In the matter of AT&T Communications, Docket No. N2003.3.40; On March 27, 2003, AT&T filed tariff transmittal 2003-07. In this filing AT&T is grandfathering IntraLATA Overlay plan OCP8Q/CAYOA, and introduces AT &T IntraLATA Overlay II plan CPMLA. Commissioner Stovall moved to approve the tariff filing. Commissioner Schneider seconded the motion, which passed unanimously.

(153) In the matter of AT&T Communications, Docket No. N2003.3.41; On March 27, 2003, AT&T filed tariff transmittal 2003-08. In this filing AT&T is making text changes to its Montana Consumer Communications Service Descriptions-Outbound tariff by removing the reference to AT&T broadband. Commissioner Schneider moved to approve the tariff filing. Commissioner Stovall seconded the motion, which passed unanimously.

(154) In the matter of Qwest Communications, Docket No. N2003.4.44; On March 31, 2003, Qwest filed

Tariff Transmittal 03-08 Uniform Access Solution (USA), Advanced Digital Switched Service (DSS), ISDN Primary Rate Service (PRS) rate reduction. Qwest is proposing permanent reduced bulk rates for new customers for DSS, UAS and ISDN for 3 and 5 year options. In addition, 1 and 2 year options are introduced. The bulk rated prices include the DS1 facility, 24 trunk connections, installation and, with ISDN PRS, it also includes the service configuration. In addition, the migration waiver offering to customers migrating from Analog PBX Trunk Service to Rate Stability Plan DSS, UAS or PRS would be changed to the following:

- 1 Year RSP – one month monthly recurring charge credit, zero nonrecurring charge transition
- 2 year RSP- two months monthly recurring charge credit, zero nonrecurring charge transition.
- 3 year RSP- three months monthly recurring charge credit, zero nonrecurring charge transition.
- 5 year RSP- three months monthly recurring charge credit, zero nonrecurring charge transition.

Finally, Qwest is proposing a charge to move an existing customer's T1 within the same central office and outside the current central office for DSS and UAS. The proposed rate is \$500.00 for the move within the same central office and \$1000.00 for a move outside the current central office. Qwest is requesting an April 28, 2003 effective date. Commissioner Schneider moved to approve the tariff filing. Commissioner Jergeson seconded the motion, which passed unanimously.

#### APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(155) In the matter of TN2180; L.S. Jensen and Sons, Inc., Missoula, Montana requests permission to cancel PSC No. 400, Sub A, only, effective immediately.

SUB A Class D - Ashes, trash, waste, refuse, rubbish and garbage within the City of Missoula, Montana, and to or from points tributary thereto but within a distance not exceeding fifty (50) miles in any direction from said city. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Brainard moved to cancel PSC No. 400, Sub A. Commissioner Stovall seconded the motion, which passed unanimously.

(156) In the matter of T-00.105.ST; On July 12, 2000 L. S. Jensen & Sons, Inc., a Montana Corporation, Missoula filed an application to transfer PSC No. 400, Sub A, only, to Winston, Fedders, Jakes, Inc., dba Montana Waste Control, Lolo, Montana. The sale and transfer was noticed to the public on August 9, 2000 and protested were filed. The owner/transferor has requested that the authority being transferred be cancelled and therefore the sale and transfer docket should be closed. Commissioner Jergeson moved to transfer the authority and close the docket. Commissioner Brainard seconded the motion, which passed unanimously.

(157) In the matter of T-00.111.COM; The complaint by numerous regulated Class D carriers dealing with the transfer and validity of PSC No. 400, Sub A, only, to be closed based on the owner/transferor's request that PSC No. 400, Sub A, be cancelled. Commissioner Brainard moved to cancel the complaint and close the docket. Commissioner Stovall seconded the motion, which passed unanimously.

(158) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of April 7, 2003. Commissioner Brainard seconded the motion, which

passed unanimously.

APPEARANCE

Monica Tranel

(159) In the matter of the Commission's discussion of Qwest Corporation's Long Distance Tariff Filing, Docket No. D2002.12.153; Commissioner Schneider moved to approve the pro hac vice application of David W. McGann and notify Qwest of the obligation with regards to the State Bar. Commissioner Jergeson seconded the motion, which passed with a vote of 4 to 1. Commissioners Jergeson, Rowe, Schneider and Stovall voted aye. Commissioner Brainard dissented.

Commissioner Brainard moved to grant Qwest's motion for protective order with regard to paragraphs 1, 2, 4 and 5, and deny the request regarding paragraph 3 (incorrectly numbered as the first four), and order Qwest to produce the information (contract w/WorldCom) by April 22, 2003. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Leroy Beeby

(160) In the matter of the Commission's discussion of Energy West Montana's Environmental Surcharge, Docket No. D2003.4.50; Commissioner Schneider moved to issue a complaint and order to show. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Steve Vick

(161) In the matter of the Commission's discussion of staff out-of-state travel; Commissioner Schneider moved to approve out-of-state travel for Monica Tranel to the ROC Meeting in Denver (early May 2003) and for Marla Larson to the WECC Meeting in San Diego, May 13 and 14, 2003. Commissioner Brainard seconded the motion, which passed unanimously.

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

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BOB ROWE, Chairman

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THOMAS J. SCHNEIDER, Vice Chairman

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MATT BRAINARD, Commissioner

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GREG JERGESON, Commissioner

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JAY STOVALL, Commissioner

ATTEST:

Rhonda J. Simmons  
Commission Secretary

(SEAL)