

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 1, 2006, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Commissioner
Robert H. Raney, Commissioner
Thomas J. Schneider, Commissioner

Brad Molnar, Vice Chairman, left his proxies on some work sessions with Commissioner Mood.

APPEARANCE

Scott Fabel
Utility Division

(291) In the matter of Citizens Telecommunications July 12, 2006 Advice Letter No. MT-06-06 special promotion. In this filing Citizens is requesting to introduce a special promotion beginning August 15, 2006 and ending November 12, 2006. Customers who accept this offer and order a Frontier Choice Tier Bundle will receive waivers of all installation charges- Docket No. N2006.7.103:

Commissioner Raney moved to approve Citizens' Advice Letter MT-06-06 in Docket N2006.7.103. Commissioner Mood seconded the motion, which passed 4-0. The vote was left open for Commissioner Molnar.

(292) In the matter of Citizens Telecommunications July 12, 2006 Advice Letter No. MT-06-07 Access Line Hunting service (ALH). The purpose of this filing is to introduce Access Line Hunting service to customers with more than one access line- Docket No. N2006.7.104:

Commissioner Raney moved to approve Citizens' Advice Letter MT-06-07 in Docket No. N2006.7.104. Commissioner Mood seconded the motion, which passed 4-0. The vote was left open for Commissioner Molnar.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(293) In the matter of the approval of Commission Minutes:

Commissioner Raney moved to approve the Commission Minutes for the week of July 24, 2006. Commissioner Mood seconded the motion, which passed 4-0. The vote was left open for Commissioner Molnar.

APPEARANCE

Tim Sweeney, Legal Division
Gary Duncan, Utility Division

(294) In the matter of the Commission's discussion of Qwest Corporation Protective Order-Docket No. D2006.3.39:

Commissioner Schneider moved to approve Qwest's request for a Protective Order in D2006.3.39. Commissioner Raney seconded the motion, which passed 4-0. The vote was left open for Commissioner Molnar.

APPEARANCE

Martin Jacobson, Legal Division
Kim Moran, Utility Division
Leroy Beeby

(295) In the matter of the Commission's discussion of Cut Bank Gas 2006 general rate case-Docket No. D2006.2.15:

Commissioner Schneider moved to approve the draft order with the changes discussed this morning, and subject to grammatical changes. Commissioner Mood seconded the motion, which passed 5-0.

APPEARANCE

Martin Jacobson, Legal division
David Burchett, Utility Division

(296) In the matter of the Commission's discussion of Montana-Dakota Utilities Company Consolidated 2003, 2004, 2005 annual monthly tracker true-ups- Dockets No. D2003.4.49, D2004.4.55, and D204.5.69:

Commissioner Jergeson moved to approve the draft Final Order in Dockets D2003.4.49, D2004.4.55, and D2004.5.69. Commissioner Raney seconded the motion, which passed 5-0. Commissioner Schneider voted to dissent on paragraph 9.

APPEARANCE

Al Brogan
Legal Division

(297) In the matter of the Commission's discussion of Montana-Dakota Utilities petition for a Declaratory Ruling and Certification of an Eligible Renewable Resource for a 31.5 Mw wind farm

to be constructed by Java Wind- Docket No. D2006.7.99:

Commissioner Raney moved to deny the petition in Docket No. D2006.7.99, to include an explanation for the denial, and invite MDU to file a new petition with the missing information that was indicated. Commissioner Mood seconded the motion, which passed 5-0.

(298) In the matter of the Commission's discussion of NorthWestern Corporation joint Application with Babcock Brown Infrastructure Limited, BBI US Holdings Pty. Ltd., BBI US Holdings II Corp., and BBI Glacier Corp. for approval of the Sale and Transfer of NorthWestern Corporation Pursuant to a Merger Agreement- Docket No. D2006.6.82:

Commissioner Schneider moved to grant the intervention to the Heartland Consumers Power District and South Dakota Public Power, Inc. Commissioner Raney seconded the motion, which passed 4-1. Commissioner Jergeson voted no.

APPEARANCE

Al Brogan, Legal Division
Eric Eck, Utility Division

(299) In the matter of the Commission's discussion of NorthWestern Energy Application for Electric Supply Cost Account Balance and Projected Electric Supply Cost- Docket No. D2006.5.66:

Commissioner Raney moved to issue the interim Order with the changes indicated on page 2, subject to minor spelling and grammatical corrections. Commissioner Jergeson seconded the motion, which passed 3-2. Commissioner Schneider partially dissented with regard to the recovery tracking mechanism described as hybrid. Commissioner Molnar voted to dissent by proxy.

APPEARANCE

Al Brogan
Legal Division

(300) In the matter of the Commission's discussion of NorthWestern Energy 2006-2007 Electric Tracker- Docket No. D2006.5.66:

Commissioner Schneider moved to delay the procedural schedule to start with the filing of the next tracker, and that the response data request deadline be delayed to conform to the amended procedural schedule. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Legal Division
Martin Jacobson, Legal Division

(301) In the matter of the Commission's discussion of Commission practice/policy on staff discovery, specifically regarding the applicability of procedural deadlines to staff discovery, etcetera:

Commissioner Schneider moved to adopt as its policy language substantially as shown in staff's memorandum, and that it be included in procedural orders. Commissioner Raney seconded the motion, which passed 5-0.

(302) In the matter of the Commission's discussion of Otter Tail rail rates NARUC amicus curiae brief:

Commissioner Jergeson moved that Montana participate and file in the amicus brief along with the details staff identified. Commissioner Schneider seconded the motion, which passed 5-0.

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

GREG JERGESON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)