

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, January 27, 2009, the following members were present:

Greg Jergeson, Chair
Gail Gutsche, Commissioner
Brad Molnar, Commissioner
John Vincent, Commissioner

Commissioner Toole was absent, but left his proxy with Commissioner Jergeson.

APPEARANCE
Scott Fabel, Utility Division

(34) In the matter of N2009.1.1: On January 8, 2009, AT&T filed Tariff Transmittal 2009-01-Access Services and Network Interconnection Services Tariff.

Commissioner Jergeson moved to APPROVE AT&T's Tariff Transmittal 2009-01 in Docket N2009.1.1. Commissioner Gutsche seconded the motion, which passed unanimously.

(35) In the matter of N2009.1.2: On January 9, 2009, Qwest filed Tariff Transmittal 09-01-Qwest Choice Business Add-A-Line Changes.

Commissioner Molnar moved to APPROVE Qwest's Tariff Transmittal 2009-01 in Docket N2009.1.2. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Eric Eck, Utility Division

(36) In the matter of D2008.12.145: On December 22, 2008, Black Hills Power filed a Quarterly Fuel Rate Rider application.

Commissioner Molnar moved to GRANT Black Hills Power's Quarterly Fuel Rate Rider Application. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(37) In the matter of TN 2430: Howard Harper, Livingston, Montana, as the Personal Representative of the Estate of Mary Belle Harper, requests permission to lease PSC No. 9466 to Carrie Anne Johnson d/b/a Amazing Taxi, Livingston, Montana for a five month period, January 27, 2009 to June 27, 2009.

Commissioner Vincent moved to APPROVE the lease of PSC NO. 9466 as requested. Commissioner Gutsche seconded the motion, which passed unanimously.

(38) In the matter of the approval of Commission Minutes for the week of January 19, 2009.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of January 19, 2009. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division
Gary Duncan, Utility Division

(39) In the matter of the Commission's discussion in Docket No. D2008.11.127: 3Rivers/Alltel Communications Interconnection Agreement.

Commissioner Jergeson moved to APPROVE the 3 Rivers Telephone Cooperative, Inc., and Alltel Communications, LLC Interconnection Agreement in Docket No. D2008.11.127, and close arbitration Docket No. D2007.10.124. Commissioner Vincent seconded the motion, which passed unanimously.

(40) In the matter of the Commission's discussion in Docket No. D2008.11.130: Qwest Corporation and Quantum Shift Communications, Interconnection Agreement.

Commissioner Gutsche moved to APPROVE the Qwest Corporation, and Quantum Shift Communications, d/b/a vCom Solutions Interconnection Agreement in Docket No. D2008.11.130. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(41) In the matter of the Commission's discussion in Docket No. D2007.5.49: AquaFlo, LLC, joint application of MT Associates and AquaFlo for approval of the sale and transfer of business assets and service authority and to request a ten-day extension.

Commissioner Jergeson moved to APPROVE Aquaflo's request for a ten-day extension to file its rate case to February 9, 2009 in Docket No. D2007.5.49. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Dave Burchett, Utility Division

(42) In the matter of the Commission's discussion in Docket No. D2008.12.142: NorthWestern Energy application for propane rate adjustment and to establish annual tracking mechanism in Townsend, Montana.

MOTION 1: Commissioner Jergeson moved to APPROVE the draft interim order to begin increased rates as of February 1, 2009 on an interim basis with amendment related to concept in Docket No. D2008.12.142. Commissioner Vincent AMENDED Commissioner Jergeson's motion to change the effective date from February 1, 2009 to March 1, 2009. Commissioner Gutsche seconded the motion, which passed unanimously.

MOTION 2: Commissioner Vincent moved to APPROVE interim order 6968 with indicated changes related to the concept of three interim phases and changes to paragraph 7, and also the amendment moving the first date of implementation from February 1, 2009 to March 1, 2009. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(43) In the matter of the Commission's discussion in Docket No. D2009.1.4: United Materials of Great Falls' petition to set terms and conditions for existing qualifying small power production facility pursuant to § 69-3-6023, MCA.

Commissioner Vincent moved to KEEP Docket No. D2009.1.4 on a 120 day schedule and to DENY NorthWestern's motion to consolidate D2009.1.4 and D2008.12.146. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,
Utility Division

(44) In the matter of the Commission's discussion of Out-of-State Staff Travel:

Commissioner Gutsche moved to APPROVE Out-of-State travel for Steve Cameron to attend the Organization of MISO States Special Board Meeting on cost Allocation in St. Paul, MN on January 28-29, 2009. OMS will reimburse travel expenses. Commissioner Vincent seconded the motion, which passed unanimously.

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

GREG JERGESON, Chair

KEN TOOLE, Vice Chair

GAIL GUTSCHE, Commissioner

BRAD MOLNAR, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart
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, January 29, 2009, the following members were present:

Ken Toole, Vice Chair
Gail Gutsche, Commissioner
Brad Molnar, Commissioner
John Vincent, Commissioner, via telephone

Commissioner Jergeson was absent, but left his proxy with Commissioner Toole.

(45) In the matter of the Commission's discussion in D2008.5.44: NorthWestern Energy's Motion to Waive Hearing.

Commissioner Molnar moved to DENY NorthWestern Energy's motion to waive hearing and proceed to hearing on February 4, 2009. Commissioner Gutsche seconded the motion, which passed unanimously.

(46) In the matter of the Commission's discussion of Senate Bill 257.

Commissioner Vincent moved to OPPOSE Senate Bill 257. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

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

GREG JERGESON, Chair

KEN TOOLE, Vice Chair

GAIL GUTSCHE, Commissioner

BRAD MOLNAR, Commissioner (Dissent)

JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)