

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, February 19, 2009, the following members were present:

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

APPEARANCE

Eric Eck, Utility Division

(69) In the matter of D2009.2.12: On February 5, 2009, NorthWestern Corporation applied for authority to issue over a two-year period up to \$350,000,000 of secured debt securities including first mortgage bonds or secured medium-term notes.

Commissioner Vincent moved to APPROVE the NorthWestern Energy application to issue up to \$350 million of secured debt securities over a two-year period. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel, Utility Division

(70) In the matter of N2009.1.11: On January 30, 2009, AT&T filed Tariff Transmittal 2009-02, Special Arrangements and Montana Consumer Communications Services Tariff.

Commission Toole moved to APPROVE AT&T's Tariff Transmittal 2009-02 in Docket N2009.1.11. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Utility Division

(71) In the matter of N2009.1.8: On January 30, 2009, Qwest Corporation filed for Commission approval a Master Service Agreement between Qwest and the McKesson Corporation.

Commissioner Toole move to APPROVE the Master Service Agreement between Qwest Corporation and McKesson Corporation in Docket No. N2009.1.8. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(72) In the matter of the approval of Commission Minutes for the week of February 9, 2009:

Commissioner Toole moved to APPROVE the Commission Minutes for the week of February 9, 2009. Commissioner Vincent seconded the motion, which passed 5-0.

APPEARANCE

Justin Kraske, Legal Division

(73) In the matter of the Commission's discussion of D2006.1.2: Montana-Dakota Utilities. AARP complaint against Montana-Dakota Utilities involving gas and electric USB charges.

Commissioner Molnar move to GRANT the Motion for Stay of filing until 45 days after judicial review, but no later than August 1, 2009. Commissioner Vincent seconded the motion, which passed unanimously.

(74) In the matter of the Commission's discussion of D2008.6.66: Energy West Montana. Annual Universal System Benefits Report and True-up of Rates, Charges, and Related Accounts.

Commissioner Jergeson moved to ISSUE the draft default order as a final order in D2008.6.66. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Brian DeKiep, Utility Division

(75) In the matter of the Commission's discussion of Organization of MISO States comments to the Federal Energy Regulatory Commission:

Commissioner Jergeson moved that Montana JOIN in the Organization of MISO States comments to Federal Energy Regulatory Commission regarding revenue sufficiency guarantee resettlements. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Utility Division

(76) In the matter of the Commission's discussion of D2008.9.119: Mountain Water Company General Rate Request.

Commissioner Gutsche moved to APPROVE Interim Order No. 6945b in Docket D2008.9.119 with the changes indicated. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Al Brogan, Legal Division

(77) In the matter of the Commission's discussion of D2009.1.4: United Materials of Great Falls, Inc. to Set Terms and Conditions for Existing Qualifying Small Power Production Facility Pursuant to § 69-3-6023, MCA.

Commissioner Toole moved to SET the deadlines filing to February 23, 2009. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE
Jim Paine, Legal Division

(78) In the matter of the Commission's discussion of T-08.40.COM: Complaint: Classic Limo v. Montana Mountain Express, complaint alleging operating without authority.

Commissioner Vincent moved that the Commission GRANT the defendant's motion for a continuance of the hearing from March 5 to March 9. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Kate Whitney, Administrator
Utility Division

(79) In the matter of the Commission's discussion of out of state staff travel – obtain approval of two travel requests: (1) Joel Tierney, pipeline safety training course (external corrosion direct assessment), Oklahoma City, March 24-26; and (2) Steve Cameron, OMS Cost Allocation and Regional Planning meeting, Carmel, IN, Feb 26-27:

Commissioner Toole moved to APPROVE out-of-state travel for Joel Tierney and Steve Cameron. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Robin McHugh, Administrator,
Legal Division

(80) In the matter of D2002.8.100: Whitehall Wind Court Order on judicial review of PSC Order No. 6444c.

Commissioner Vincent moved to APPEAL the Court Order to the Montana Supreme Court. Commissioner Toole 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:

Judy Scheier
Assistant Commission Secretary

(SEAL)