

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, July 23, 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

Scott Fabel, Utility Division

(269) In the matter of N2009.7.93: On July 1, 2009, AT&T filed Tariff Transmittal 2009-11.

Commissioner Toole moved to APPROVE AT&T's Tariff Transmittal 2009-11 in Docket N2009.7.93. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche was absent.

APPEARANCE

Eric Eck, Utility Division

(270) In the matter of D2009.6.89: On June 22, 2009, 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 Toole seconded the motion, which passed 4-0. Commissioner Gutsche was absent.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(271) In the matter of T-09.27.PCN: On May 19, 2009, Blackfoot River Rentals, LLC, Bonner, Montana filed an application for a certificate of public convenience and necessity.

Commissioner Toole moved to WITHDRAW the application filed in Docket T-09.27.PCN and close the docket as requested. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche was absent.

(272) In the matter of the approval of Commission Minutes for the week of July 13, 2009.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of July 13,

2009. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche was absent.

APPEARANCE

Justin Kraske, Legal Division

Joel Tierney, Utility Division

(273) In the matter of the Commission's discussion in Docket No. D2009.5.75: Front Range Pipeline application to increase rates and charges to shippers on its petroleum products pipeline from the international boundary to Billings, Montana.

Commissioner Jergeson moved to APPROVE an order granting the rate increase application as requested by Front Range Pipeline in Docket No. D2009.5.75. Commissioner Toole seconded the motion, which passed unanimously.

(274) In the matter of the Commission's discussion in Docket No. D2009.5.76: Cenex Pipeline application to increase rates and charges to shippers on its petroleum products pipeline from Laurel to Billings and Glendive and from Billings to Glendive.

Commissioner Molnar moved to APPROVE an order granting the rate increase as requested by Cenex Pipeline in Docket No. D2009.5.76. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

Kim Moran, Utility Division

(275) In the matter of the Commission's discussion in Docket No. D2009.4.47: MDU Conservation tracking adjustment for natural gas conservation programs.

Commissioner Jergeson moved to APPROVE the final order as drafted by staff subject to minor editing changes in Docket No. D2009.4.47. Commissioner Vincent seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Al Brogan, Legal Division

(276) In the matter of the Commission's discussion in Docket No. D2008.11.132: Energy West Incorporated's application for approval of its acquisition and transfer of stock to Brainard Gas Corporation, Great Plains Natural Gas Company, Lightning Pipeline Company, Inc., and Great Plains Land Development Co., Ltd.

Commissioner Vincent moved to GRANT Energy West Incorporated's motion to withdraw application and close the docket in Docket No. D2008.11.132. Commissioner Toole seconded

the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,  
Utility Division

(277) In the matter of the Commission's discussion in Docket No. D2008.8.95: NorthWestern Energy's application for approval to construct and operate the Mill Creek Generating Station to supply regulation service, issuance of RFP.

Commissioner Toole moved to APPROVE issuance of the RFP subject to legal review and editing in Docket No. D2008.8.95. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(278) In the matter of the Commission's discussion in Docket No. D2008.12.146: NorthWestern Energy's application for approval of avoided cost tariff for new qualifying facilities, motion for reconsideration.

Commissioner Toole moved to DENY NorthWestern Energy's motion for reconsideration of the Notice of Staff Action issued July 8, 2009, in Docket No. D2008.12.146. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator Legal Division

(279) In the matter of the Commission's discussion of e-mail restore information requests:

Commissioner Toole moved to APPROVE the scenario laid out by Mr. Manion in his June 29, 2009, letter to Chairman Jergeson. Commissioner Vincent 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.

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GREG JERGSON, Chair

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KEN TOOLE, Vice Chair

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GAIL GUTSCHE, Commissioner

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BRAD MOLNAR, Commissioner

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JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart  
Commission Secretary

(SEAL)