

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 28, 2009, the following members were present:

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

APPEARANCE

Gary Duncan, Utility Division

(280) In the matter of D2006.8.123: Qwest Corporation/Bresnan Broadband of Montana, LLC- Interconnection Agreement Amendment.

Commissioner Toole moved to APPROVE the interconnection agreement amendment between Qwest Corporation and Bresnan Broadband of Montana, LLC in Docket No. D2006.8.123. Commissioner Vincent seconded the motion, which passed unanimously.

(281) In the matter of D2008.6.63: Qwest Corporation/Eloptia Communications, LLC- Interconnection Agreement Amendment.

Commissioner Gutsche moved to APPROVE the interconnection agreement amendment between Qwest Corporation and Eloptia Communications, LLC in Docket No. D2008.6.63. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(282) In the matter of T-09.35.OTSC: On July 14, 2009 an Order to Show Cause was issued to Cary M. Sarles d/b/a Park County Transportation, Livingston, Montana, PSC No. 9456, for failure to file liability insurance.

Commissioner Vincent moved to CANCEL PSC No. 9456 for failure to maintain required liability insurance. Commissioner Toole seconded the motion, which passed unanimously.

(283) In the matter of T-09.31.OTSC: On July 14, 2009, an Order to Show Cause was issued to Kenneth A. Vander Ven d/b/a Lewistown Transfer & Storage Company, Lewistown, Montana, PSC No. 1122, for failure to file a 2008 Annual Report.

Commissioner Jergeson moved to CANCEL PSC No. 1122 for failure to file a 2008 Annual Report. Commissioner Vincent seconded the motion, which passed unanimously.

(284) In the matter of TN2446: Big Sky Transfer & Storage, Inc., Great Falls, Montana requests permission to lease PSC No. TN2406 to Mergenthaler Transfer and Storage Co., Inc. Helena, Montana for a six month period, July 28, 2009 to January 28, 2010.

Commissioner Jergeson moved to APPROVE the lease of PSC No. 2406 as requested. Commissioner Toole seconded the motion, which passed unanimously.

(285) In the matter of the approval of Commission Minutes for the week of July 20, 2009.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of July 20, 2009. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division
Gary Duncan, Utility Division

(286) In the matter of the Commission's discussion of Montana Sky Networks, Inc. request for conversion from an informal complaint against Century Tel of Montana to a formal complaint.

Commissioner Toole moved to ACCEPT staff's recommendation to convert the informal complaint to a formal complaint, assign a docket number, schedule a pre hearing conference, and ask the parties to brief the issues. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Steve Cameron, Utility Division

(287) In the matter of the Commission's discussion of MISO comments to FERC.

MOTION 1: Commissioner Jergeson moved that the Montana Commission SUPPORT the short version of comments to FERC and oppose the longer version, and to delegate to the Chairman the authority to deal with any comments arising from the board meeting. Commissioner Molnar seconded the motion, which passed unanimously.

MOTION 2: Commissioner Jergeson moved to have Montana join in SUPPORT of comments and delegate to the Chairman the authority to deal with any amendments arising from the board meeting. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE
Greg Jergeson, Chairman

(288) In the matter of the Commission's discussion of Eastern Interconnection Planning:
consider proposed commitment letter.

Commissioner Jergeson moved to send the commitment letter as submitted to the Commission.
Commissioner Molnar 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)