

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 11, 2009, the following members were present:

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

APPEARANCE

Scott Fabel, Utility Division

(295) In the matter of N2009.6.86: On June 19, 2009, Qwest filed Tariff Transmittal 09-04 Network Premises Work Charges-Trenching Charges.

Commissioner Vincent moved to APPROVE Qwest's request to withdraw Tariff Transmittal 09-04 in Docket N2009.6.86. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Utility Division

(296) In the matter of D2006.12.186: Qwest Corporation/MCI Metro Access Transmission Services LLC Interconnection Agreement Amendment. Qwest Corporation filed with the Commission an interconnection agreement amendment which adds the terms, conditions, and rates for DC Power Measurement to the existing agreement between the parties.

Commissioner Vincent moved to APPROVE the interconnection agreement amendment between Qwest Corporation and MCI Metro Access Transmission Services LLC in Docket No. D2006.12.186. Commissioner Gutsche seconded the motion, which passed unanimously.

(297) In the matter of D2008.7.80: Nemont Telephone Cooperative, Inc./Sagebrush Cellular, Inc. Interconnection Agreement Amendment. Nemont filed with the Commission an interconnection agreement amendment which changes the Reciprocal Compensation Rate in the existing agreement between the parties.

Commissioner Vincent moved to APPROVE the interconnection agreement amendment between Nemont Telephone Cooperative, Inc. and Sagebrush Cellular, Inc. in Docket No. D2008.7.80. Commissioner Molnar seconded the motion, which passed unanimously.

(298) In the matter of D2008.7.79: Project Telephone Company, Inc./Sagebrush Cellular, Inc.

Interconnection Agreement Amendment. Project filed with the Commission an interconnection agreement amendment which changes the Reciprocal Compensation Rate in the existing agreement between the parties.

Commissioner Gutsche moved to APPROVE the interconnection agreement amendment between Project Telephone Company, Inc., and Sagebrush Cellular, Inc. in Docket No. D2008.7.79. Commissioner Vincent seconded the motion, which passed unanimously.

(299) In the matter of D2009.4.51: Qwest Corporation/Net Talk.com, Inc. Interconnection Agreement Amendment. Qwest Corporation filed with the Commission an interconnection agreement amendment which adds the terms and conditions of the Qwest Performance Assurance Plan Section K to the existing agreement between the parties.

Commissioner Toole moved to APPROVE the interconnection agreement amendment between Qwest Corporation and NetTalk.com, Inc. in Docket No. D2009.4.51. Commissioner Molnar seconded the motion, which passed unanimously.

(300) In the matter of D2002.6.68: Qwest Corporation/Level 3 Communications, LLC Interconnection Agreement Amendment. Qwest Corporation filed with the Commission an interconnection agreement amendment which adds the terms and conditions for 8XX Jointly Provided Switched Access to the existing agreement between the parties.

Commissioner Toole moved to APPROVE the interconnection agreement amendment between Qwest Corporation and Level 3 Communications, LLC in Docket No. D2002.6.68. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(301) In the matter of T-09.32.OTSC: On July 14, 2009, an Order to Show Cause was issued to Donald A. Hurley d/b/a Arrive In Style, Billings, Montana, PSC No. 9396, for failure to file a 2008 Annual Report.

Commissioner Molnar moved to CANCEL PSC No. 9396 for failure to file a 2008 Annual Report. Commissioner Toole seconded the motion, which passed unanimously.

(302) In the matter of the approval of Commission Minutes for the week of August 3, 2009.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of August 3, 2009. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Mike Lee, Utility Division

Justin Kraske, Legal Division

(303) In the matter of the Commission's discussion in Docket No. D2004.1.7: Sagebrush Cellular, Inc. Eligible Telecommunications Carrier.

Commissioner Vincent moved to direct staff to draft an order to GRANT Sagebrush Cellular, Inc.'s three year extension of time to achieve its 98% population coverage obligation in Docket No. D2004.1.7. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator, Legal Department
Kim Moran and Leroy Beebe, Utility Division

(304) In the matter of the Commission's discussion in Docket No. D2008.9.119: Mountain Water general rate case.

Commissioner Gutsche moved to ISSUE the final order with Commissioner Molnar's suggested changes to paragraph 26 and minor editing in Docket No. D2008.9.119. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Phil Cooke and Lori Sandru, Consumer Division

(305) In the matter of the Commission's discussion in Docket No. N2006.6.84: NorthWestern Energy Medical Emergency Rule.

Commissioner Jergeson moved to CONTINUE the previously approved monthly payment of \$200 and direct staff to issue the appropriate Notice of Commission Action in Docket No. N2006.6.84. Commissioner Molnar seconded the motion, which passed unanimously.

(306) In the matter of the Commission's discussion in Docket No. N2008.8.102: NorthWestern Energy Medical Emergency Rule.

Commissioner Jergeson moved to APPROVE staff recommendation of a monthly payment of \$35 per month plus the current charges arrangement and direct staff to prepare the appropriate Notice of Commission Action in Docket No. N2008.8.102. Commissioner Molnar seconded the motion, which passed 3-2. Commissioners Gutsche and Vincent voted no.

APPEARANCE

Kate Whitney, Administrator,
Utility Division

(307) In the matter of the Commission's discussion of Out of State staff travel:

Commissioner Gutsche moved to APPROVE Brian DeKiep's travel to the Organization of MISO States Cost Allocation Regional Planning Committee in Carmel IN on September 24, 2009. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Sarah Carlson, Public Relations

(308) In the matter of the Commission's discussion of Department of Energy State Electricity Regulators Assistance grant:

Commissioner Toole moved to direct staff to PROCEED with the application. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Brian DeKiep, Utility Division

(309) In the matter of the Commission's discussion of NERC/FERC Reliability Standards combined filing to FERC:

Commissioner Jergeson moved to instruct staff to DRAFT comments for a combined filing with FERC. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator, Legal Division

(310) In the matter of the Commission's discussion of E-mail restores:

There was no objection to RELEASING Jergeson and Toole E-mails as identified by staff review. Hearing no objection, Chairman Jergeson issued a Commission order to release the designated E-mails.

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)