

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, September 1, 2009, the following members were present:

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

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(327) In the matter of the approval of Commission Minutes for the week of August 24, 2009:

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of August 24, 2009. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(328) In the matter of the Commission's discussion in Docket No. D2006.2.22: Avista Corporation-Application for order disclaiming jurisdiction over a corporate reorganization to create a holding company and withdrawing its application.

Commissioner Toole moved to INSTRUCT staff to issue a Notice of Commission Action closing Docket No. D2006.2.22. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(329) In the matter of the Commission's discussion of PSC comments to Energy & Telecommunications Interim Committee.

MOTION 1: Commissioner Molnar moved to ADD to the comments that the PSC has citing authority for transmission lines that tie into existing regulated structures. Motion failed for a lack of a second.

MOTION 2: Commissioner Gutsche moved to SUBMIT the comments to Energy & Telecommunications Interim Committee as drafted. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE
Commissioner Molnar

(330) In the matter of the Commission's discussion of requests for e-mails: Discussion of rulemaking initiation to guide the commission when it receives requests for PSC emails.

Commissioner Molnar moved to START the rule making process to determine the process by which public e-mail requests are managed. Motion failed for a lack of a second.

APPEARANCE
Robin McHugh, Administrator, Legal Division

(331) In the matter of the Commission's discussion of e-mail requests from Lee Bureau: approval of privacy logs for Toole and Jergeson.

Commissioner Toole moved to DELIVER privacy logs of Commissioners Jergeson, Toole and Molnar to the requestor by Friday. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(332) In the matter of the Commission's discussion in Docket No. T-09.32.OTSC: Donald A. Hurley d/b/a Arrive in Style, Billings, Montana, reconsideration of PSC No. 9396, Cancellation Order No. 7019.

Commissioner Molnar moved to RECONSIDER the cancellation of PSC No. 9396, REINSTATE PSC No. 9396, and SUSPEND the authority for a six month period. Commissioner Toole seconded the motion, which passed unanimously.

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

GREG JERGSON, Chair

KEN TOOLE, Vice Chair

GAIL GUTSCHE, Commissioner

BRAD MOLNAR, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)