

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 20, 2009, the following members were present:

Greg Jergeson, Chair
Ken Toole, Vice Chair
John Vincent, Commissioner

Commissioner Gutsche was absent but left her proxy with Commissioner Toole. Commissioner Molnar was absent but left his proxy with Commissioner Jergeson.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(388) In the matter of TN2451: Dale W. Adams and Shaaron F. Adams d/b/a Plentywood Sanitation Co., Plentywood Montana requests permission to lease PSC No. 1602 to Dale W. Adams d/b/a Plentywood Sanitation Co., Plentywood, Montana for a six month period, October 20, 2009 to April 20, 2010.

Commissioner Jergeson moved to APPROVE the lease of PSC No. 1602 as requested. Commissioner Toole seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

(389) In the matter of TN2452: Thomas F. Kenneally, Butte, Montana requests permission to continue the lease of PSC No. 4448 to the McGree Corporation, Butte, Montana for a one year period October 12, 2009 to October 12, 2010.

Commissioner Vincent moved to APPROVE the lease of PSC No. 4448 as requested. Commissioner Toole seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

(390) In the matter of the approval of Commission Minutes for the week of October 12, 2009.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of October 12, 2009. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

APPEARANCE

Gary Duncan, Utility Division

(391) In the matter of the Commission's discussion in Docket No. D2009.8.108, D2009.8.109, D2009.9.115: Interconnection Agreements.

Commissioner Toole moved to APPROVE Qwest Corporation /All American Telecom, Inc., interconnection agreement in Docket No. D2009.8.109; the Qwest Corporation/Matrix Telecom, Inc., interconnection agreement in Docket No. D2009.8.108; and the Qwest Corporation/Three Rivers Telephone Cooperative, Inc. interconnection agreement in Docket No. D2009.8.115. Commissioner Vincent seconded the motion, which passed unanimously. Commissioners Gutsche and Molnar voted Aye by proxy.

APPEARANCE

Jim Paine, Legal Division
Kim Moran, Utility Division

(392) In the matter of the Commission's discussion in Docket No. D2009.4.52: Virginia City sewer rate complaint.

Commissioner Vincent moved to ADOPT and issue the order as drafted with the amendment indicated by staff subject to minor editing in Docket No. D2009.4.52. Commissioner Toole seconded the motion, which passed unanimously. Commissioners Gutsche and Molnar voted Aye by proxy.

APPEARANCE

Dave Burchett and Scott Fabel, Utility Division

(393) In the matter of the Commission's discussion in Docket No. D2008.8.97: Five Valleys Gas rate increase.

Commissioner Toole moved to ISSUE the order as drafted subject to minor editing in Docket No. D2008.8.97. Commissioner Vincent seconded the motion, which passed unanimously. Commissioners Gutsche and Molnar voted Aye by proxy.

APPEARANCE

Tina Shorten and Phil Cooke, Utility Division

(394) In the matter of the Commission's discussion in Docket No. N2008.9.122: Medical Emergency Rule application.

Commissioner Toole moved to APPROVE the staff recommendation in Docket No. N2008.9.122, and will issue an NCA subject to minor editing. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

APPEARANCE

Al Brogan, Legal Division
Kate Whitney, Administrator,
Utility Division

(395) In the matter of the Commission's discussion of Public Utilities and electricity suppliers compliance with Montana's renewable portfolio standards for compliance year 2008. Commissioner Toole moved to ISSUE a NCA that accepts MDU's measures to comply and setting a date certain of October 30, 2009 for the filing of the compliance information by Conoco Phillips, Electric City Power, Powerex and WAPA. Commissioner Vincent seconded the motion, which passed 4-0. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar not voting.

APPEARANCE

Kate Whitney, Administrator,
Utility Division

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

Commissioner Vincent moved to ADOPT and Issue these comments to the Energy & Telecommunications Interim Committee by 5:00 p.m. tomorrow. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Gutsche voted Aye by proxy. Commissioner Molnar voted no by proxy.

(397) In the matter of the Commission's discussion of Out of State Staff Travel:

Commissioner Vincent moved to APPROVE staff travel for Kim Moran to attend the NARUC Utility Rate School, November 1-6, 2009, in Clearwater, Florida. Commissioner Toole seconded the motion, which passed unanimously. Commissioners Gutsche and Molnar voted Aye by proxy.

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)