

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 27, 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

Eric Eck, Utility Division

(398) In the matter of D2009.9.125: On September 18, 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 unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(399) In the matter of TN2453: Edward Des Rosier d/b/a Sun Tours, East Glacier Park, Montana, requests permission to suspend PSC No. 9220 for the period November 1, 2009 to May 1, 2010.

Commissioner Toole moved to APPROVE the suspension as requested. Commissioner Gutsche seconded the motion, which passed unanimously.

(400) In the matter of TN2454: Wayne T. Fleming d/b/a Z Best Transportation, West Yellowstone, Montana, requests permission to change the 'd/b/a' on PSC No. 9468 to read Wayne T. Fleming d/b/a Yellowstone Roadrunner.

Commissioner Vincent moved to APPROVE the change in d/b/a as requested. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator, Legal Division
Joel Tierney, Utility Division

(401) In the matter of the Commission's discussion in Docket No. D2009.8.106: Havre Pipeline, rate decrease request.

Commissioner Jergeson moved to ISSUE Nunc pro tunc Order No. 7028a in Docket No. D2009.8.106. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(402) In the matter of the Commission's discussion in Docket No. D2008.3.27: Energy West/Cut Bank Gas acquisition of Cut Bank Gas by Energy West.

Commissioner Toole moved to APPROVE the draft final order with changes described by staff and subject to minor editing changes in Docket No. D2008.3.27. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(403) In the matter of the Commission's discussion in Docket No. T-09.23.PCN: Billings Yellow Cab LLC, application for certificate of PC&N.

Commissioner Molnar moved to ACCEPT the denial and striking paragraphs 39, 40 and 41 in the final order in Docket No. T-09.23.PCN. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Steve Cameron, Utility Division

(404) In the matter of the Commission's discussion in Docket No. D2009.7.102: MDU 2009-2010 Avoided costs update power purchase differentiated Rate 93.

Commissioner Jergeson moved to ISSUE the order as drafted by staff approving the rate changes on an interim basis with minor editing changes in Docket No. D2009.7.102. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,

Utility Division

Jim Paine, Legal Division

Gary Duncan, Utility Division

(405) In the matter of the Commission's discussion of Comments to NTIA and RUS:

Commissioner Jergeson moved to PREPARE and SUBMIT the comments with the revisions that have been indicated by staff to NTIA /RUS respecting the recommendations on the broadband funding project. 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)