

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 23, 2009, the following members were present:

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

Commissioner Molnar was absent, but left his proxy with Commissioner Jergeson

APPEARANCE
Brian DeKiep, Utility Division

(432) In the matter of Northern Tier Transmission Group comments to FERC:

Commissioner Toole moved to APPROVE the comments of Northern Tier Transmission Group to FERC. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner 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)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 24, 2009, the following members were present:

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

Commissioner Molnar was absent, but left his proxy with Commissioner Jergeson

APPEARANCE
Eric Dahlgren

(433) In the matter of N2009.11.143: On November 6, 2009, NorthWestern Energy Corporation filed a request for approval to implement a new Therm Billing Zone.

Commissioner Vincent moved to APPROVE the addition of Therm Billing Zone 30. Commissioner Gutsche seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(434) In the matter of the approval of Commission Minutes for the week of November 16, 2009:

Commissioner Toole moved to APPROVE the Commission Minutes for the week of November 16, 2009. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE
Mike Lee, Utility Division

(435) In the matter of the Commission's discussion in Docket No. N2008.12.144: Qwest quality service investigation, Qwest motion to reconsider Order No. 6994a.

Commissioner Toole moved to DENY Qwest's Motion to Reconsider Order No. 6994a and to issue an order to that effect in Docket No. N2008.12.144. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE

Justin Kraske, Legal Division

(436) In the matter of the Commission's discussion in Docket No. D2006.2.24: Vigilante Electric Coop and NorthWestern Energy application for approval of an exclusive service agreement.

Commissioner Vincent moved to APPROVE and ISSUE the order modifying the exclusive service agreement with minor edits as necessary in Docket No. D2006.2.24. Commissioner Toole seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

(437) In the matter of the Commission's discussion in Docket No. N2009.10.133: Acquisition of natural gas resource minimum filing requirements rulemaking.

Commissioner Vincent moved to ISSUE the notice of public hearing with the Secretary of State with additional comments recommended by staff and subject to minor editing in Docket No. N2009.10.133. Commissioner Gutsche seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE

Al Brogan, Legal Division
Will Rosquist, Utility Division

(438) In the matter of the Commission's discussion in Docket No. N2007.11.138: NorthWestern Energy Status report and motion for extension for time to file 2009 electricity supply resource procurement plan.

Commissioner Gutsche moved to GRANT NorthWestern Energy's motion for extension, establish April 30, 2010 as the deadline for NorthWestern Energy's 2009 resource plan, and direct NorthWestern Energy to file a status report by the end of February 2010. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(439) In the matter of the Commission's discussion in Docket No. N2009.10.137: Renewable Portfolio standards compliance filings for compliance year 2008-RPS compliance filings from Electric City Power, Conoco Phillips, Western Area Power Administration and failure of Powerex to submit compliance information.

MOTION 1: Commissioner Toole moved to ACCEPT staff recommendation and issue an order to that effect in Docket No. N2009.10.137 (Electric City Power). Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

MOTION 2: Commissioner Gutsche moved to ACCEPT staff recommendation and issue an order in Docket No. N2009.10.137 (Conoco Phillips). Commissioner Toole seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

MOTION 3: Commissioner Toole moved to DIRECT Powerex to submit a response in Docket No. N2009.10.137. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(440) In the matter of the Commission's discussion in Docket No. T-09.40.RI: Karst Stages proposed passenger tariff rate increase.

Commissioner Vincent moved to GRANT the application for a change in tariff by Karst Stages in Docket No. T-09.40.RI. Commissioner Toole seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE

Al Brogan, Legal Division
Mike Lee and Will Rosquist, Utility Division

(441) In the matter of the Commission's discussion in Docket No. D2009.9.129: NorthWestern Energy application for authority to establish increased natural gas and electric delivery service rates and implement allocated cost of service and rate design proposals-Motion for Reconsideration and Motion to Bifurcate General Rate Case Application.

MOTION 1: Commissioner Toole moved to ACCEPT NorthWestern's Motion for Reconsideration in Docket No. D2009.9.129. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

MOTION 2: Commissioner Vincent moved to SUBSTITUTE the remedy outlined by staff for the remedy of a new filing in Docket No. D2009.9.129. Commissioner Gutsche seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

MOTION 3: Commissioner Toole moved to DENY NorthWestern Energy's Motion to Bifurcate the general rate case application in Docket No. D2009.9.129. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

APPEARANCE
Kate Whitney, Administrator
Utility Division

(442) In the matter of the Commission's discussion of Personnel Issue:

Commissioner Toole moved to ACCEPT staff recommendation and terminate employment as of 5 p.m. November 24, 2009, for Steve Cameron due to abandonment of his position. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Molnar voted Aye by proxy.

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)