

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, January 5, 2010, the following members were present:

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

APPEARANCE
Scott Fabel, Utility Division

(1) In the matter of N2009.12.157: On December 9, 2009, CenturyLink filed letter No. 09-09.

Commissioner Toole moved to APPROVE CenturyLink's Letter No. 09-09 in Docket N2009.12.157. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(2) In the matter of T-09.42.ST: On November 16, 2009, Wild Tout Outfitters, Inc. d/b/a Mountain Taxi & Yellowstone Touring Co., Big Sky, Montana filed an application to transfer PSC No. 8995 to Lightning Ram, Inc. d/b/a Shuttle to Big Sky & Taxi, Big Sky, Montana.

Commissioner Vincent moved to APPROVE the transfer of PSC No. 8995, as requested. Commissioner Gutsche seconded the motion, which passed unanimously.

(3) In the matter of TN2461: James A. Jones d/b/a Oilfield Maintenance Company, Gillette, Wyoming requests permission to lease PSC No. 9297 to G&G Garbage, Inc., Baker, Montana for a one year period, December 28, 2009 to December 28, 2010.

Commissioner Molnar moved to APPROVE the lease of PSC No. 9297, as requested. Commissioner Toole seconded the motion, which passed unanimously.

(4) In the matter of the approval of Commission Minutes for the week of December 21, 2009.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of December 21, 2009. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Al Brogan, Legal Division (via telephone)

Leroy Beeby, Utility Division

(5) In the matter of the Commission's discussion in Docket No. D2009.12.155: NorthWestern Energy Property Tax Tracker -- decide whether to hold a hearing on January 11, 2010 as noticed in the provisional notice.

Commissioner Toole moved to HOLD the hearing on January 11, 2010 as noticed in the provisional notice in Docket No. D2009.12.155. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division (via telephone)
Will Rosquist, Utility Division

(6) 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 response to NorthWestern Energy's objection to data requests PSC 226, 230, 231 and 232.

MOTION 1: Commissioner Toole moved to COMPEL responses to discovery requests in Docket No. D2009.9.129. Commissioner Vincent seconded the motion. Motion and second were withdrawn.

MOTION 2: Commissioner Toole moved to OVERRULE NorthWestern Energy's objections to data requests PSC 225, 230, 231 and 232; the overruling of PSC 232 is without prejudice in order to allow NorthWestern Energy the opportunity to seek a protective order, and to compel the answers by January 11, 2010. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(7) In the matter of the Commission's discussion in Docket No. D2008.1.6: Qwest's motion for a protective order to protect answers to staff data requests.

Commissioner Gutsche moved to GRANT Qwest's motion for protective order in Docket No. D2008.1.6. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator, Legal Division

(8) In the matter of the Commission's discussion in Docket No. D2009.12.154: Mountain Water-application for tariffed tracking adjustment regarding ARRA funding- to discuss waiving ARM 38.5.2610, or respond to a Mountain filing regarding application of this rule.

Commissioner Vincent moved to GRANT a waiver of Rule 38.5.2610 generally and subparagraph 5 specifically in Docket No. D2009.12.154. Commissioner Jergeson seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Robin McHugh, Administrator, Legal Division
Gary Duncan and Leroy Beeby, Utility Division

(9) In the matter of the Commission's discussion in Docket No D2009.12.154: Mountain Water-application for approval of a tariffed tracking adjustment for purposes of securing ARRA infrastructure funding.

Commissioner Gutsche moved to APPROVE Mountain Water Co. tariffs as filed under Docket No. D2009.12.154. Commissioner Vincent seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division
David DeGil, IT Division

(10) In the matter of the Commission's discussion of PSC Consultant Funds to convert ITS from VB6 to VB.net.

Commissioner Vincent moved to APPROVE the request to proceed with securing contracted services for upgrading more of our ITS systems to VB.NET. Commissioner Gutsche 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)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, January 6, 2010, the following members were present:

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

APPEARANCE

Leroy Beeby, Utility Division
Al Brogan, Legal Division (via telephone)

(11) In the matter of the Commission's discussion in Docket No. D2005.11.163 & D2005.11.164, Utility Solutions, LLC, determination of additional issues.

Commissioner Vincent moved to ACCEPT staff's recommendation to examine the checkbook and underlying financial documents of Utility Solutions, LLC, submitted to the PSC in Docket Nos. D2005.11.163 and D2005.11.164. Commissioner Jergeson seconded the motion, which passed 4-1. Commissioner Toole voted no.

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)