

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, April 27, 2010, the following members were present:

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

APPEARANCE

Eric Eck, Utility Division

(133) In the matter of D2010.3.33: On March 22, 2010, Black Hills Power filed a Quarterly Fuel Rate Rider application.

Commissioner Vincent moved to GRANT Black Hills Power's Quarterly Fuel Rate Rider application. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(134) In the matter of the approval of Commission Minutes for the week of April 19, 2010.

Commissioner Toole moved to APPROVE the Commission Minutes for the week of April 19, 2010. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Kim Moran, Utility Division
Justin Kraske, Legal Division

(135) In the matter of the Commission's discussion in Docket No. D2010.3.27: NorthWestern Energy natural gas universal service benefits charge rate adjustment. NorthWestern Energy's request for an interim increase in the Natural Gas Universal Service Benefits Charge rates.

Commissioner Toole moved to APPROVE the request for interim increase to Natural Gas Universal Service Benefits Charge rates in Docket No. D2010.3.27. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division
Will Rosquist and Scott Fabel, Utility Division

(136) In the matter of the Commission's discussion in Docket Nos. D2009.5.62 and D2008.5.45: NorthWestern Energy Electric Trackers, Stipulation between Montana Consumer Counsel and NorthWestern Energy.

MOTION 1: Commissioner Vincent moved to ACCEPT staff recommendation and issue an order APPROVING the stipulation with the modification regarding the removal of real time labor costs from the electric tracker upon issuance of an interim order in Docket No. D2009.9.129. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Molnar voted no.

MOTION 2: Commissioner Molnar moved to do that with the exception of everything under 2004 RFP, and investigate that on a prudency review. Motion failed for a lack of a second.

APPEARANCE

Al Brogan, Legal Division
Will Rosquist, Utility Division

(137) In the matter of the Commission's discussion in Docket No. N2007.11.138: NorthWestern Energy electricity supply default procurement plan, motion for extension of time to file plan.

Commissioner Toole moved to DENY NorthWestern Energy's request for extension of time to file its 2009 plan in Docket No. D2007.11.138. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Al Brogan, Legal Division

(138) In the matter of the Commission's discussion in Docket No. D2010.2.18: Kenfield Wind Park I, LLC's, petition to set terms and conditions for qualifying small power production facility pursuant to §69-3-603, MCA.

MOTION 1: Commissioner Vincent moved to DENY NorthWestern Energy's Motion for Oral Argument in the Motion for Reconsideration in Docket No. D2010.2.18. Commissioner Gutsche seconded the motion, which passed 4-0. Commissioner Molnar was absent.

MOTION 2: Commissioner Vincent moved to DENY NorthWestern Energy's motion for Reconsideration in Docket No. D2010.2.18. Commissioner Toole seconded the motion, which passed 4-1. Commissioner Molnar voted no.

MOTION 3: Commissioner Gutsche moved to GRANT Kenfield Wind's Motion to Compel NorthWestern Energy to respond to certain PSC Data Requests, and its own Data Requests in Docket No. D2010.2.18. Commissioner Vincent seconded the motion, which passed unanimously.

MOTION 4: Commissioner Gutsche moved to WAIVE the time frames in protective order rules to consider the Motion for Reconsideration in less than ten days after the Motion for Protective Order is filed in Docket No. D2010.2.18. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Brian Dekiep and Kim Moran, Utility Division

(139) In the matter of the Commission's discussion of Organization of MISO States and Cost Allocation Regional Planning.

Commissioner Jergeson moved to AGREE to the Cost Allocation Regional Planning proposals submitted to MISO. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Justin Kraske, Legal Division

Leroy Beeby, Utility Division

(140) In the matter of the Commission's discussion in Docket No. D2009.1.9: Aqua Flo general rate case interim order.

Commissioner Jergeson moved to ISSUE the interim order in accord with staff recommendations that approves the stipulation with the modification the interim period be one year instead of two in Docket No. D2009.1.9. Commissioner Molnar seconded the motion, which passed 4-0. Commissioner Toole was recused.

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)