

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 18, 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

(155) In the matter of N2010.5.46: On May 4, 2010, CenturyLink filed Advice No. 10-08.

Commissioner Toole moved to ACCEPT CenturyLink's advice No. 10-08 in Docket No. N2010.5.46. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE  
Wayne Budt, Administrator  
Transportation & Centralized Services Division

(156) In the matter of TN2471: Joann Margaret Koepke d/b/a Big Sky Transportation Services, Seeley Lake, Montana requests a final six months suspension of PSC No. 9449, from May 21, 2010 to November 21, 2010.

Commissioner Gutsche moved to APPROVE the requested second 6 month suspension as requested. Commissioner Toole seconded the motion, which passed unanimously.

(157) In the matter of the approval of Commission Minutes for the week of May 10, 2010.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of May 10, 2010. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE  
Jim Paine, Legal Division

(158) In the matter of the Commission's discussion in Docket No. D2010.2.14: Complainants Doty/Klingmans/Williamson formal complaint street lighting against NorthWestern Energy. NorthWestern Energy's Motion to Dismiss.

Commissioner Toole moved to ADOPT the order with the addition of a statement to clarify does not intend to limit the ability of customers directly affected to file over issues of just and reasonable rate for whatever reason in Docket No. D2010.2.14. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Dave Burchett, Utility Division  
Justin Kraske, Legal Division

(159) In the matter of the Commission's discussion in Docket No. D2009.6.88: Energy West Montana application for approval of monthly gas cost tracker true-up.

Commissioner Jergeson moved to ISSUE the final order as drafted subject to final edits in Docket No. D2009.6.88. Commissioner Toole seconded the motion, which passed unanimously.

(160) In the matter of the Commission's discussion in Docket No. D2009.5.63: NorthWestern Energy application for approval of unreflected gas cost account balance and projected gas cost. NorthWestern Energy's Motion for Protective order.

Commissioner Toole moved to GRANT NorthWestern Energy's motion for a protective order with the exception of protecting the identities of the suppliers with whom NorthWestern is or may be in negotiation in Docket No. D2009.5.63. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

APPEARANCE

Robin McHugh, Administrator, Legal Division

(161) In the matter of the Commission's discussion of Staff Travel:

Commissioner Toole moved to APPROVE the travel of Al Brogan, Justin Kraske, Robin McHugh and Jason Brown to attend the National Conference of Regulatory Attorneys in West Virginia on June 20-23, 2010. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

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

Commissioner Toole moved to GRANT waiver of §38.2.507(8) to allow Sagebrush to file a motion for protective order, DENY Sagebrush's motion to amend existing protective order, and GRANT a new protective order for the materials provided by Sagebrush after November 25, 2009 in Docket No. D2010.2.18. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE  
Al Brogan, Legal Division  
Will Rosquist, Utility Division

(163) In the matter of the Commission's discussion in Docket No. D2002.8.100: Whitehall Wind petition for QF rate determination, order on remand.

MOTION 1: Commissioner Toole moved to ADOPT Option A in Issue 1 in Docket No. D2002.8.100. Commissioner Jergeson seconded the motion, which passed unanimously.

MOTION 2: Commissioner Toole moved to ADOPT Option A in Issue 2 in Docket No. D2002.8.100. Commissioner Vincent seconded the motion, which passed unanimously.

MOTION 3: Commissioner Toole moved ADOPTION of the draft order as the final order subject to editing revisions and the option choices adopted today in Docket No. D2002.8.100. Commissioner Vincent seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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GREG JERGESON, Chair

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KEN TOOLE, Vice Chair

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GAIL GUTSCHE, Commissioner

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BRAD MOLNAR, Commissioner

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JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart  
Commission Secretary

(SEAL)