

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, June 3, 2010, the following members were present:

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

Public comments were made by John Adams, Great Falls Tribune. Commented in protest to closing the work session regarding CDV 2009-127 *Electric City Power v. Montana Public Service Commission* because it is not a question of personal privacy.

APPEARANCE

Scott Fabel, Utility Division

(170) In the matter of N2010.5.51: On May 17, 2010, Qwest Communications Company filed Tariff Transmittal QCC 10-02.

Commissioner Toole moved to APPROVE Qwest Communications Company Tariff Transmittal QCC 10-02 in Docket N2010.5.51. Commissioner Vincent seconded the motion, which passed unanimously.

(171) In the matter of N2010.5.52: On May 17, 2010, Qwest LD Corporation filed Tariff Transmittal QLDC 10-02.

Commissioner Vincent moved to APPROVE QLDC Tariff Transmittal QLDC 10-02 in Docket N2010.5.52. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(172) In the matter of the approval of Commission Minutes for the week of May 24, 2010.

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of May 24, 2010. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(173) In the matter of the Commission's discussion in Docket No. D2010.1.9: Big Mountain Water Company's application to increase rates for water service. Motion for Protective Order.

Commissioner Toole moved to GRANT Big Mountain Water Co. and Water Sports, Inc.'s motion for protective order to protect their state and federal tax return information in Docket No. D2010.1.9. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Joel Tierney, Utility Division

(174) In the matter of the Commission's discussion in Docket No. D2010.2.15: Miller Oil d/b/a The City Line, annual propane tracker true up.

Commissioner Jergeson moved to APPROVE Miller Oil's Annual Propane Tracker True Up and the refund as indicated in Docket No. D2010.2.15. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division
Eric Dahlgren, Utility Division

(175) In the matter of the Commission's discussion in Docket No.L-10.2.1-RUL: Electrical Interconnection Rules.

MOTION 1: Commissioner Toole moved to INCLUDE third party ownership under lease agreement with the interconnecting customer. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Molnar voted no.

MOTION 2: Commissioner Toole moved to INCLUDE the potential for larger projects that are not on the customer residence limited to 10MV in the rule proposal. Motion withdrawn. Commissioner Gutsche seconded the motion, which was withdrawn.

APPEARANCE

Al Brogan, Legal Division

(176) In the matter of the Commission's discussion in Docket No. CDV 2009-127: *Electric City Power v. Montana Public Service Commission*. Decision to appeal or not appeal.

MOTION 1: Commissioner Vincent moved to not appeal. Motion failed for a lack of a second.

MOTION 2: Commissioner Jergeson moved to appeal the decision of the district court to the Montana Supreme Court. Commissioner Toole seconded the motion, which passed 3-2. Commissioner Molnar and Commissioner Vincent voted no.

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)