

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, July 22, 2010, the following members were present:

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

APPEARANCE

Kate Whitney, Administrator
Regulatory Division

(219) In the matter of the approval of Commission Minutes for the week of July 12, 2010.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of July 12, 2010. Commissioner Gutsche seconded the motion, which passed unanimously. Commissioner Jergeson voted yes by proxy.

APPEARANCE

Gary Duncan, Regulatory Division

(220) In the matter of D2008.6.63: Qwest Corporation/Etopia Communications, LLC. Qwest Corporation has filed for approval with this Commission an amendment to the existing wireless interconnection agreement between the parties in Docket No. D2008.6.63.

Commissioner Molnar moved to APPROVE the interconnection agreement amendment between Qwest Corporation and Etopia Communications, LLC in Docket No. D2008.6.63. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Jergeson voted yes by proxy.

APPEARANCE

Eric Dahlgren, Regulatory Division

(221) In the matter of T-10.8.PCN: On May 21, 2010 Jeanne Herron applied for a certificate of public convenience and necessity.

Commissioner Toole moved to APPROVE withdrawal of the application and close docket T-10.8.PCN. Commissioner Vincent seconded the motion, which passed unanimously. Commissioner Jergeson voted yes by proxy.

APPEARANCE
Commissioner Toole

(222) In the matter of the Commission's discussion of Public Service Commission Internship Program.

Commissioner Vincent moved to ADOPT Public Service Commission intern program name as the Jergeson Internship Program. Commissioner Gutsche seconded the motion, which passed 3-1. Commissioner Molnar voted no. Commissioner Jergeson abstained.

(223) In the matter of the Commission's discussion of a support letter for City of Kalispell to the EPA for a biomass proposal.

Commissioner Vincent moved to SUBMIT a support letter to the EPA for the City of Kalispell's biomass proposal. Commissioner Gutsche seconded the motion, which passed 4-1. Commissioner Jergeson voted yes by proxy. Commissioner Molnar voted no.

At this point, Commissioner Jergeson joined the work session.

APPEARANCE
Al Brogan, Administrator, Legal Division

(224) In the matter of the Commission's discussion in Docket No. N2010.6.57: NorthWestern Energy 2009 Electric Supply Procurement Plan.

Commissioner Toole moved to GRANT NorthWestern Energy's motion for protective order in Docket No. N2010.6.57. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE
Kate Whitney, Administrator
Regulatory Division

(225) In the matter of the Commission's discussion of potential Public Service Commission legislation.

Commissioner Vincent moved to APPROVE submission of the list of legislative issues to ETIC with minor adjustments indicated by Kate. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Jim Paine, Legal Division

(226) In the matter of the Commission's discussion in Docket No. D2010.5.55: CenturyTel/Qwest Corporation Merger application.

Commissioner Toole moved to GRANT expanded authority for the hearings examiner to include resolution of discovery disputes and procedural matters in Docket No. D2010.5.55.

Commissioner Vincent seconded the motion, which passed unanimously.

(227) In the matter of the Commission's discussion in Docket No. D2010.2.14: *Doty et al v NorthWestern Energy* formal complaint on street lighting. Motion to Reconsider.

Commissioner Vincent moved to ISSUE the revised draft order as recommended by counsel in Docket No. D2010.2.14. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

Gary Duncan, Regulatory Division

(228) In the matter of the Commission's discussion in Docket Nos. D2010.5.45 and D2010.5.47: CenturyTel, Bullseye Telecom, Inc., Qwest Corporation, Mid-Rivers Telephone Cooperative, Inc., Interconnection Agreements.

Commissioner Toole moved to APPROVE the CenturyTel of Montana/Bullseye Telecom, Inc. interconnection agreement in D2010.5.45, and Qwest Corporation/Mid-Rivers Telephone Cooperative, Inc., interconnection agreement in Docket D2010.5.47. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(229) In the matter of the Commission's discussion in Docket No. D2010.5.55: CenturyLink/Qwest merger application, motions for protective order.

Commissioner Toole moved to GRANT CenturyLink's and Qwest's motions for protective orders in Docket No. D2010.5.55. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Administrator, Legal Division

Eric Dahlgren, Regulatory Division

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

Commissioner Toole moved to APPROVE adoption of electrical interconnection rules and direct staff to forward same to the Secretary of State in L-10.2.1-RUL. Commissioner Vincent

seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Administrator, Legal Division
Eric Dahlgren, Regulatory Division
Nickie Eck, Regulatory Division

(231) In the matter of the Commission's discussion in Docket No. T-10.6.PCN: James Elgin d/b/a Jim's Taxi's application for taxi service in Flathead County.

Commissioner Toole moved to ISSUE the draft order with additional language recommended by Staff and by Commissioner Toole, and other minor edits that may be necessary in Docket No. T-10.6.PCN. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Administrator, Legal Division
Eric Dahlgren, Regulatory Division

(232) In the matter of the Commission's discussion in Docket No. TN2476: Flathead Area Custom Transportation Inc., d/b/a Kalispell Taxi and Airport Shuttle Service, lease of PSC No. 56 to Jeanne M. Herron d/b/a Drive4U.

Commissioner Toole moved to APPROVE the lease as requested in TN2476. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Commissioner Jergeson

(233) In the matter of the Commission's discussion of Governor's Employee Awards, designate Public Service Commission recipient.

Commissioner Jergeson moved to NOMINATE Staci Litschauer as the Public Service Commission recipient. Commissioner Vincent 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)