

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

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

Commissioner Vincent was excused, but left his proxy with Commissioner Toole

APPEARANCE
Public Comment

Comments by Jessie Rumble, Classic Limo, Bozeman, MT. Comments to the Commission regarding motor carrier issues.

Comments by Kurt Kennifer, Valley Limousine, Missoula, MT. Currently involved in an open docket and precluded from addressing the Commission.

Comments by Ron Kindsfather, Limousine of Billings Trolley Co., Billings, MT. Comments to the Commission regarding motor carrier issues.

Michael Uda, Attorney, Helena, Mt. Comments to the Commission regarding motor carrier issues and the rulemaking process.

APPEARANCE
Kate Whitney, Administrator
Regulatory Division

(241) In the matter of the approval of Commission Minutes for the week of July 26, 2010:

Commissioner Toole moved to APPROVE the Commission Minutes for the week of July 26, 2010. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE
Eric Dahlgren, Regulatory Division

(242) In the matter of Docket No. T-10-28.ST: On June 21, 2010, Brian David Parks d/b/a Medicab, Missoula, MT submitted a request to transfer PSC No. 9199 to Medicab, LLC, Missoula, MT.

Commissioner Gutsche move to APPROVE the transfer as requested. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division

(243) In the matter of the Commission's discussion in Docket No. D2008.10.123: HLH general rate case. Interim Order.

Commissioner Toole moved to ISSUE the interim order subject to minor editing in Docket No. D2008.10.123. Commissioner Gutsche seconded the motion, which passed 4 to 1. Commissioner Molnar voted no.

APPEARANCE

Justin Kraske, Legal Division

(244) In the matter of the Commission's discussion in Docket No. D2010.4.41 and D2010.6.59: Mountain Water Company application to increase rates and charges for water service in Missoula, MT. Motion for Protective Order.

MOTION 1: Commissioner Gutsche moved to GRANT the protective order regarding income tax information in Docket Nos. D2010.4.41 and D2010.6.59. Commissioner Toole seconded the motion, which passed unanimously.

MOTION 2: Commissioner Molnar moved to GRANT the request for protective order in the case of Park for salaries below \$85,000, but DENY the protective order for salaries of Park employees above \$85,000 because it is publically available in Docket Nos. D2010.4.41 and D2010.6.59. Commissioner Gutsche seconded the motion, which passed unanimously.

MOTION 3: Commissioner Molnar moved to GRANT the protective order. The motion died for lack of a second.

MOTION 4: Commissioner Toole moved to GRANT the protective order for Mountain Water employees with salaries under \$100,000, and DENY the protective order for compensation at or above \$100,000 in Docket Nos. D2010.4.41 and D2010.6.59. Commissioner Jergeson seconded the motion, which passed with the vote of 4 to 1. Commissioner Molnar voted no.

APPEARANCE

Kate Whitney, Administrator,
Regulatory Division

(245) In the matter of the Commission's discussion of regulation of small water utilities.

Commissioner Toole moved to DIRECT staff regarding possible rulemaking to improve the effectiveness of the PSC's regulation of small water utilities. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Eric Dahlgren, Regulatory Division

(246) In the matter of the Commission's discussion regulated motor carriers.

Commissioner Toole moved to DIRECT staff to move forward in the rule making process. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division

(247) In the matter of the Commission's discussion in Docket No. D2010.3.22: TransCanada Keystone Pipeline supplemental acceptance of Title 69, Chapter 13, MCA.

Commissioner Toole moved to GRANT TransCanada Keystone Pipeline's application for recognition as a regulated common carrier and direct staff to draft the order in Docket No. D2010.3.22. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator,
Regulatory Division

(248) In the matter of the Commission's discussion of out of state travel:

Commissioner Molnar moved to APPROVE Joel Tierney's travel to the national meeting of the National Association of Pipeline Safety Representatives, Portland, OR, Sept. 27 to Oct. 1, 2010; and Kim Moran's travel to the meetings thro the remainder of 2010 of the Eastern Interconnection States Planning Council (including specifically the August 25-27 EISPC meeting in Arlington, VA). Commissioner Gutsche seconded the motion, which passed unanimously.

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)