

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, November 30, 2010, the following members were present:

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

APPEARANCE
Kate Whitney, Administrator
Regulatory Division

(365) In the matter of the approval of Commission Minutes for the week of November 22, 2010.

Commissioner Vincent moved to APPROVE the Commission Minutes for the week of November 22, 2010. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Scott Fabel, Regulatory Division

(366) In the matter of N2010.11.105: On November 4, 2010, Montana Dakota Utilities filed an application seeking authority to accumulate the under and over collections of Montana Public Service Commission and Montana Consumer Counsel taxes starting on October 1, 2010.

Commissioner Molnar moved to GRANT Montana Dakota Utilities' request to accrue under and over collections of the Montana Public Service Commission and Montana Consumer Counsel tax increases until the next general rate case. Commissioner Toole seconded the motion, which passed unanimously.

APPEARANCE
Phil Cooke, Consumer Affairs Bureau

(367) In the matter of N2010.11.106: On November 10, 2010 Energy West filed tariff changes clarifying the proper definition of "customer" and deleted item 1.1D under Application for Service to eliminate a contradictory statement concerning the definition of "customer".

Commissioner Jergeson moved to APPROVE Energy West Montana's request to revise its tariff in Docket No. N2010.11.106. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Eric Dahlgren, Regulatory Division

(368) In the matter of T-10.34.RRV: On October 22, 2010 a request for an overhead clearance variance by ConocoPhillips was noticed to the public.

Commissioner Gutsche moved to APPROVE the variance as requested. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske, Legal Division
Leroy Beeby, Regulatory Division

(369) In the matter of the Commission's discussion in Docket No. D2008.10.123: HLH, LLC application to implement increased rates for service in Big Sky, MT service area, Motion for Reconsideration.

MOTION 1: Commissioner Jergeson moved to GRANT HLH's motion for reconsideration in Docket No. D2008.10.123. Commissioner Toole seconded the motion, which passed unanimously.

MOTION 2: Commissioner Vincent moved to DENY the stipulation and reset the procedural schedule utilizing a 2008 test year, and split the staff as necessary to accommodate the docket in Docket No. D2008.10.123. Commissioner Toole seconded the motion, which passed with a vote of 3-2. Commissioner Jergeson and Commissioner Molnar voted no.

APPEARANCE

Justin Kraske, Legal Division
Eric Dahlgren, Regulatory Division

(370) In the matter of the Commission's discussion of proposed motor carrier legislation.

Commissioner Toole moved to APPROVE going forward in seeking the introduction and passage of this bill draft. Commissioner Vincent seconded the motion, which passed 4-1. Commissioner Molnar 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)