

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, March 4, 2011, the following members were present:

Bill Gallagher, Chairman
Brad Molnar, Vice Chairman
Gail Gutsche, Commissioner
Travis Kavulla, Commissioner
John Vincent, Commissioner, via telephone

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(135) In the matter of the approval of Commission Minutes for the week of February 14, 2011:

Commissioner Gutsche moved to APPROVE the Commission Minutes for the week of February 14, 2011. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division
Justin Kraske, Legal Division

(136) In the matter of the D2010.4.41 and D2009.9.127: Mountain Water general rate case and power tracker. Interim Rate Request.

Commissioner Gutsche moved to GRANT Mountain Water an interim increase of \$1,272,844 in Docket Nos. D2010.4.41 and D2009.9.127. Commissioner Vincent seconded the motion which passed unanimously.

APPEARANCE

Al Brogan, Administrator, Legal Division
Jason Brown, Legal Division

(137) In the matter of NARUC announcement of Opportunity to Host Interns:

Commissioner Molnar moved to RATIFY the action indicating a willingness to host Latin American or Caribbean interns. Commissioner Gallagher seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division
Jim Paine and Justin Kraske, Legal Division

(138) In the matter of Senate Bill 347 for the 2011 Legislative Session

Commissioner Kavulla moved to CHANGE the Commission's position from "oppose" to "monitor" SB 347. Commissioner Gutsche seconded the motion, which passed unanimously

(139) In the matter of House Bill 40 for the 2011 Legislative Session:

Commissioner Kavulla moved to OPPOSE with the proviso as it concerns the amendments to Section 4 in HB 40. Commissioner Gutsche seconded the motion, which passed with a vote of 3 to 2. Commissioner Molnar and Commissioner Vincent voted no.

(140) In the matter of Senate Bill 201 for the 2011 Legislative Session:

Commissioner Gutsche moved to OPPOSE SB 201. Commissioner Vincent seconded the motion, which failed with a vote of 3 to 2. Commissioner Gallagher, Commissioner Molnar and Commissioner Kavulla voted no.

(141) In the matter of House Bill 543 for the 2011 Legislative Session:

Commissioner Gutsche moved to OPPOSE with the proviso as to the amendments to section c, lines 7, 8, and 9 on page 2 in HB 543. Commissioner Molnar seconded the motion, which passed with a vote of 4 to 1. Commissioner Kavulla voted no.

(142) In the matter of Senate Bill 381 for the 2011 Legislative Session:

Commissioner Kavulla moved to MONITOR SB 381. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Administrator, Legal Division
Kate Whitney, Administrator, Regulatory Division

(143) In the matter of FERC ER10-1138-000: NorthWestern Energy OATT Schedule 3 Filing.

Commissioner Gutsche moved to AUTHORIZE Jim Paine and one other staff member to be designated by Kate Whitney to attend the March 29, 2011, settlement conference in Washington, D.C. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Administrator, Legal Division

(144) In the matter of D2010.7.77: NorthWestern Energy's Application for Approval of Avoided Cost Tariff for New Qualifying Facilities.

MOTION 1: Commissioner Molnar moved to DENY Compass Wind Projects, LLC and Compass Wind LLC's motion for late intervention in Docket No. D2010.7.77. Commissioner

Gallagher seconded the motion, which passed unanimously.

MOTION 2: Commissioner Gallagher moved to GRANT Invenergy Wind Development Montana, LLC's motion for late intervention in Docket No. D2010.7.77. The motion failed due to lack of a second.

ALTERNATE MOTION 2: Commissioner Molnar moved to DENY Invenergy Wind Development Montana, LLC's motion for late intervention in Docket No. D2010.7.77. Commissioner Vincent seconded the motion, which passed with a vote of 4 to 1. Chairman Gallagher voted no.

MOTION 3: Commissioner Gallagher moved to GRANT NorthWestern Energy's motion for reconsideration of Order No. 7108b in Docket No. D2010.7.77. Commissioner Kavulla seconded the motion, which passed with a vote of 4 to 1. Commissioner Vincent voted no.

MOTION 4: Commissioner Kavulla moved to ISSUE a protective order superseding Order No. 7108b that grants protection to all requested information except that information which is otherwise publicly available in Docket No. D2010.7.77. Commissioner Gallagher seconded the motion, which passed with a vote of 3 to 2. Commissioner Vincent and Commissioner Gutsche voted no.

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

W. A. (Bill) GALLAGHER, Chairman

BRAD MOLNAR, Vice Chairman

GAIL GUTSCHE, Commissioner

TRAVIS KAVULLA, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)