

Commission minutes for the week of May 2, 2011

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 3, 2011, the following members were present:

Travis Kavulla, Chairman
 Gail Gutsche, Vice-Chair
 Bill Gallagher, Commissioner
 Brad Molnar, Commissioner
 John Vincent, Commissioner

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(214) In the matter of the Commission's minutes of April 11, 2011:

Commissioner Gutsche moved to APPROVE the Commission minutes for the week of April 11, 2011. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Regulatory Division

(215) In the matter of Qwest Corporation D2001.1.7: Qwest Corporation/McLeodUSA Telecommunications Services, Inc.-Qwest has filed for approval with this Commission an amendment to the existing interconnection agreement.

Commissioner Kavulla moved to APPROVE the interconnection agreement between Qwest Corporation and McLeod/USA Telecommunications Services, Inc., in Docket No. D2001.1.7. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Regulatory Division

(216) In the matter of T-11.10.ST: On March 16, 2011, C.B. Geier, Helena, MT filed an application to transfer PSC No. 3584 to Mad Dash Montana Delivery Courier & Moving Services, Inc., Helena, MT.

Commissioner Gallagher moved to APPROVE the transfer of PSC No. 3584 to Mad Dash Montana Delivery Courier & Moving Services, Inc. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Gary Duncan, Regulatory Division

(217) In the matter of the Commission's discussion of D2011.2.15 : CenturyLink – Verizon Wireless Interconnection Agreement:

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Commissioner Gutsche moved to APPROVE the CenturyLink – Verizon Wireless Interconnection Agreement in Docket No. D2011.2.15. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(218) In the matter of the Commission's discussion of T.10.31.COM, T.10.33.COM, and T.10.35.COM – formal complaints against Classic Limo:

Commissioner Vincent moved to CONSOLIDATE the formal complaints and set a prehearing conference to establish, among other things, a procedural schedule. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division
Phil Cooke, Regulatory Division

(219) In the matter of the Commission's discussion of D2010.12.112: Complainant Charles H. Scott, Jr. v. NorthWestern Energy:

Commissioner Vincent moved to ADOPT a draft order accepting the Statement of Satisfaction. Commissioner Gutsche seconded the motion, which passed unanimously.

APPEARANCE

Jim Paine, Legal Division

(220) In the matter of TN2477: Lighting Ram, Inc. d/b/a Shuttle to Big Sky and Taxi:

Commissioner Vincent moved to DIRECT staff to draft an order to reconsider a Commission directive denying a request to split authority. Commissioner Gutsche seconded the motion, which passed 4 to 1. Commissioner Molnar voted nay.

APPEARANCE

Jason Brown, Legal Division
Brian DeKiep, Regulatory Division

(221) In the matter of N2011.1.1: Public utilities and electricity suppliers Renewable Portfolio Standard (RPS) compliance reporting for compliance year 2010.

Chairman Kavulla moved to AUTHORIZE staff to continue working to improve the supplier reporting process. Commissioner Gutsche seconded the motion, which passed unanimously.

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APPEARANCE
Commissioner Gallagher
Chairman Kavulla

(222) In the matter of the Commission's discussion of the PSC Operations Manual:

Consider modifications to the PSC Operations Manual in the following sections: 1) Introduction; 2) Commission meetings; 3) Information Management; 4) Calendars; 5) Approval of out-of-state travel:

MOTION 1: Chairman Kavulla moved to incorporate items B through F into the Blue Book. Commissioner Vincent seconded the motion. Commissioner Gallagher suggested voting on each item individually. Chairman Kavulla agreed to the division of the items in his motion.

Regarding INCORPORATION of item B. The item passed 3 to 2. Commissioners Gallagher and Molnar voted nay.

Regarding INCORPORATION of item C. The item passed 3 to 2. Commissioners Gallagher and Molnar voted nay.

Regarding INCORPORATION of item D. The item passed 3 to 2. Commissioners Gallagher and Molnar voted nay.

Regarding INCORPORATION of item E. The item passed 3 to 2. Commissioners Gallagher and Molnar voted nay.

Regarding INCORPORATION of item F as amended. The item passed unanimously.

MOTION 2: Commissioner Gallagher moved that item A be INSERTED into the Blue Book. Commissioner Molnar seconded the motion, which failed 2 to 3. Commissioners Vincent, Gutsche, and Chairman Kavulla voted nay.

APPEARANCE
Jim Paine, Legal Division

(223) In the matter of the Commission's discussion of NWE-FERC ER10-1138: NorthWestern Energy FERC Schedule 3 (Regulation Service) filing to consider participation in the contemplated May 9 settlement conference by telephone.

Commissioner Gutsche moved to have the Montana Public Service Commission PARTICIPATE via conference call only. Commissioner Vincent seconded the motion, which passed 4 to 0. Commissioner Gallagher abstained.

APPEARANCE
Neil Templeton, Regulatory Division

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(224) In the matter of the Commission's discussion of D2010.9.90: Energy West Montana application to establish increased service rates.

Chairman Kavulla moved to APPROVE the proposed additional issues laid out in the staff memo and to amend the procedural schedule. Commissioner Vincent seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby, Regulatory Division

(225) In the matter of the Commission's discussion of D2011.4.34 and D2009.1.9: AquaFlo rate case.

Chairman Kavulla moved to APPROVE the continuation of interim rates until the final order in this case. Commissioner Gutsche seconded the motion which passed 4 to 0. Commissioner Gallagher recused himself.

APPEARANCE

Jim Paine, Legal Division

(226) In the matter of the Commission's discussion of out-of-state staff travel: obtain approval of Jim Paine's request to attend the Regional Oversight Committee meeting in Denver, May 24-25, 2011.

Commissioner Gutsche moved to APPROVE the travel request of Jim Paine to attend the Regional Oversight Committee in Denver. Chairman Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Angie Hall, Centralized Services Division

(227) In the matter of the Commission's discussion of PSC Travel Allocation: moving travel budget from Commissioner Vincent's budget to Commissioner Kavulla's budget.

Chairman Kavulla moved to TRANSFER \$2,000 from Commissioner Vincent's travel budget to Commissioner Kavulla's travel budget. Commissioner Vincent seconded the motion, which passed unanimously.

(228) In the matter of Commission's discussion of moving travel budget from Commissioner Vincent's travel budget to Commissioner Molnar's travel budget:

Commissioner Molnar moved to TRANSFER \$2,000 from Commissioner Vincent's travel budget Commissioner Molnar's travel budget to attend the Western Conference in Denver, Colorado. Commissioner Gallagher seconded the motion, which passed unanimously.

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

TRAVIS KAVULLA, Chairman

GAIL GUTSCHE, Vice Chair

W. A. (Bill) GALLAGHER, Commissioner

BRAD MOLNAR, Commissioner

JOHN VINCENT, Commissioner

ATTEST:

Judy Scheier,
Assistant Commission Secretary

(SEAL)