

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on March 5, 2013, the following members were present:

Bill Gallagher, Chairman
Bob Lake, Vice Chairman
Travis Kavulla, Commissioner
Roger Koopman, Commissioner

Commissioner Kirk Bushman left his proxy with Chairman Gallagher.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(72) In the matter of the Commission Minutes for the week of February 28, 2013.

Commissioner Lake moved to APPROVE the Commission Minutes for the week of February 28, 2013. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(73) In the matter of out-of-state staff travel – (1) Brian DeKiep and David Lofftus, PUC Energy Imbalance Market and State Provincial Steering Committee meetings, Boise, ID, April 8-10, 2013; and (2) Brian DeKiep, OMS/MISO annual stakeholders meeting, Traverse City, MI June 22-25, 2013.

Chairman Gallagher moved to APPROVE the travel requests. Commissioner Koopman seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(74) In the matter of American Medical Response, Inc. – T-13.2.RI – On January 25, 2013 American Medical Response, Inc., Billings, MT filed for increased rates and charges for transportation conducted under PSC No. 8996. The increases range between 4.82% and 5%. The rate increase was noticed to the public on February 13, 2013 and no protests were received. Rates are scheduled to be effective on March 11, 2013.

Chairman Gallagher moved to APPROVE the rate increases as applied for. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Brenda Koch, Transportation Unit

(75) In the matter of South Lake Taxi – TN2568 – Dennis F. Orr Sr. dba Couth Lake Taxi, Polson, MT requests permission to lease PSC No. 9479 to Sierra L. Kneeland dba South Lake Taxi II, Polson, MT for one year March 17, 2013 to March 17, 2014.

Chairman moved to APPROVE the lease as applied for. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Nickie Eck, Transportation Unit

(76) In the matter of Mergenthaler Transfer & Storage Co. – TN2527 and TN2528 – Mergenthaler Transfer & Storage Co., Helena, MT has submitted an unopposed motion to withdraw their request to split PSC No 1464 Sub H out for leasing purposes and withdraw the request to lease that authority to the City of Helena. These requests were originally submitted in March, 2012, protests were received and action had been deferred at the request of Mergenthaler and close the two dockets.

Chairman Gallagher moved to ACCEPT the withdrawal request by Mergenthaler and close the tow dockets. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Dagan Lynch, Regulatory Division
Justin Kraske, Legal Division

(77) In the matter of D2012.10.108 – Montana Dakota Utilities Co. – application for accounting order – MDU Resources Group, Inc. has requested authority for deferred accounting treatment for costs associated with the clean-up of the manufactured gas plant site located in Billings, MT.

Commissioner Lake moved to DENY application for accounting order. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Justin Kraske and Brenda Elias, Legal Division
Leroy Beeby, Regulatory Division

(78) In the matter of D2012.7.81 – Mountain Water Company – act on the motion of Montana Consumer Counsel to suspend procedural schedule, vacate hearing and strike testimony.

Commissioner Lake moved to SUSPEND the procedural schedule and VACATE the hearing. Commissioner Kavulla seconded the motion, which passed unanimously.

APPEARANCE

Brenda Elias and Justin Kraske, Legal Division

(79) In the matter of ARM 38.2.50.1, Public Utility Executive Compensation – repeal notice.

Commissioner Lake moved to LEAVE IT with staff to put the wheels in motion for the earliest possible publishing date and work with the Commission to determine a hearing date.

Commissioner Koopman seconded the motion, which passed 4 to 1. Commissioner Kavulla voted no.

APPEARANCE

Justin Kraske, Legal Division

(80) In the matter of D2011.4.35 – Sleepy Hollow Oil and Gas, LLC – application to initiate natural gas service in and around Winifred, MT.

Commissioner Kavulla moved to extend the time until July 31, 2013. Commissioner Lake seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator, Regulatory Division

(81) In the matter of Legislative bills relevant to the PSC mission, statutory authority, administrative process and general agency concerns.

In the matter of SB 139.

Commission Koopman moved to DIRECT staff to develop testimony for purpose of informational testimony to address the lack of clarity as it applies to small business directly or indirectly; and to suggest specific language that makes the bill as narrow as possible. Chairman Gallagher seconded the motion, which passed unanimously.

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

W. A. GALLAGHER, Chairman

BOB LAKE Vice Chairman

KIRK BUSHMAN, Commissioner

TRAVIS KAVULLA, Commissioner

ROGER KOOPMAN, Commissioner

ATTEST:

Judy Scheier
Assistant Commission Secretary

(SEAL)