

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 11-01-20**

Date Published: January 13, 2011  
For Work Week Commencing: January 17, 2011  
Commission Meeting: January 20, 2011, 9:00 a.m.

General Introduction *This agenda is the Commission's agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

**9:00 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**9:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. Approval of Commission Minutes (Kate)

Approval of the Commission Minutes for the week of January 3, 2011

2. Qwest Quality of Service N2008.12.144 (Gary, Jim)

The Commission on October 9, 2009 issued Order No. 6994a in the above docket. That order required Qwest to continue to produce certain reports for trouble reports regarding voice and DSL service and to file those reports with the Commission. Staff has revisited those reporting requirements. ARM 38.5.3360 provides that:

“...The carrier shall maintain an accurate record of trouble reports made by its customers for a period of two years. This record shall include appropriate identification of the customer or service affected the time, date, and nature of the report, the action taken to clear trouble or satisfies the complaint, and the date and time of trouble clearance or other disposition. This record shall be available to the commission or its authorized representatives upon request at any time within the period prescribed for retention of such records.”

Staff believes that in the future, the “on demand” reporting requirements regarding trouble reports contained in ARM 38.5.3360 will provide staff sufficient information to ascertain the quality of service being provided by Qwest if staff receives data (such as an increase in the number of complaints) that suggests issues with the quality of service being provided by Qwest. Staff believes the reporting requirement of Order No.6994a are unnecessary and should be discontinued and Docket No. N2008.12.144 closed.

Probable Motion: Move to discontinue the reporting requirements of Order No. 6994a and close Docket No. N2008.12.144.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. Placeholder – T-10.36.PCN – L&L Site Services, Inc. – Application for a Certificate of Public Convenience and Necessity – Discuss request from Applicant and Protestants to change hearing date from January 26, 2011 to a date in mid-February, 2011. (1/20/11)

2. Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (1/20/11)
3. **1/18/11 at 1:30 p.m., 1/19/11 and 1/21/11, at 8:30 a.m.** - Legislative – Discuss bills relevant to PSC mission, statutory authority, administrative process and general agency concerns; consider staff analysis and recommendations; provide direction on PSC response to bills. (1/18/11, 1/19/11, 1/21/11, Commission Conference Room – Live web audio feed – not archived)

### **Other Meetings**

**1/18/11 9:00 AM – 5:00 PM – Helena Red Lion Hotel - NorthWestern Energy has invited Commissioners to attend its Leadership NorthWestern class on utility regulation, and specifically to participate in the discussion with regulators and Montana Consumer Counsel session at 3:30 p.m. Three or more Commissioners may attend and/or participate. The Commissioner(s) will not consider, discuss, speak on, or answer questions on, contested case issues that are currently pending before the Commission.**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda.

Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

**Information Items** All items identified below are for information only.

1. **Qwest Corporation Multi State and Individual Case Basis Agreements**

Any qualified person who signs a non-disclosure agreement pursuant to the term protective Order No. 6999 in Docket No. D2009.5.60 may review the following agreements at the Commission's offices, 1701 Prospect Ave. Helena, MT, 59620, or at Qwest's office, 441 North Park Avenue, Helena, Mt. 59601. If any interested party has reason to believe that Qwest's prices are below relevant costs in the agreements, the interested party may file an objection with the Commission within 30 days of the date of this notice (please see Qwest Alternative Form of Regulation (AFOR) Docket No. D2008.1.3, Order No. 6889n, Joint Stipulation).

1.) Qwest Corporation/Montana Independent Health Alliance. - Qwest Corporation (Qwest) and Montana Independent Health Alliance have signed a Multi-State Agreement (MSA) for Qwest to provide certain telecommunications services to Montana Independent Health Alliance.

**New Filings Received in Past Week**

N2011.1.1 – PSC Initiated – Renewable Portfolio Standard Compliance Reporting - 2011