

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 6, 1997 the following members were present:

Nancy McCaffree, Vice Chair  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

Chairman Dave Fisher and Commissioner Bob Anderson were absent and left their votes with the Commission Secretary.

APPEARANCE  
Dan Elliott, Administrator  
Utility Division

(423) In the matter of US West Communications - Docket N97.9.161. On September 2, 1997, US West Communications filed Tariff Transmittal 97-30, introducing Uniform Access Solution, a switched DS-1 arrangement offered as an alternative to PBX trunks or DSS, providing a digital connection to the public switched network. Commissioner Rowe moved to approve the tariff with corrected tariff page designations as suggested by staff. Commissioner Oberg seconded the motion which passed unanimously.

(424) In the matter of MCI Telecommunications - Docket N97.9.171. On September 17, 1997, MCI Telecommunications Corporation filed Tariff Transmittal 97-21, proposing changes in the Dial One/Direct Dial usage rates and time of day schedule; changes to the credit card usage rates; deleting Prism III options; and other text changes. Commissioner Rowe moved to approve the tariff changes. Commissioner Oberg seconded the motion which passed unanimously.

APPEARANCE  
Wayne Budt, Administrator  
Transportation & Centralized Services Division

(425) In the matter of Docket T-97.97.PCN. On September 9, 1997 Clifford Schollmeyer and Tracy Burr, a Partnership, dba Arrow Stage Lines, Lame Deer, Montana, filed an application for a certificate of Public Convenience and Necessity:

Class A - Persons between Colstrip, Montana and Billings, Montana over Highway 39 to Highway 212, and Highway 212 to Interstates 90 and 94, serving intermediate points of Lame Deer, Busby, and Crow Agency, Montana only.

Commissioner Oberg moved to approve the application for operating authority. Commissioner Rowe seconded the motion which passed unanimously.

(426) In the matter of Docket T-97.37.OTSC. Don Ward, Inc., Denver, Colorado has failed to file a 1996 annual report and filing fee. An Order To Show Cause has been issued and received with no response.

Class C - Property as specified, groceries, merchandise, farm products, farm equipment, machinery, livestock, meat products, salt, lumber, building materials, wool, grain, feed, clay products, lime, cement and general commodities, within the town of Broadus, Montana, and to or from points tributary thereto, but within a distance not exceeding 150 miles in any direction from said town; livestock from ranches in said territory to Billings; and said commodities from Billings to ranches only in said territory.

Limitations: Transportation of said commodities between points served by railroad or motor carriers is prohibited.

Commissioner Oberg moved to cancel PSC No. 917. Commissioner Rowe seconded the motion which passed unanimously.

(427) In the matter of Docket T-97.52.OTSC. LaVelle Powder Co., Inc., Butte, Montana has failed to file a 1996 annual report and filing fee. An Order To Show Cause has been issued and received with no response.

SUB G Class C - Property in the City of Butte, Montana, and to or from points immediately tributary thereto but within a distance not exceeding 10 miles from said city. Limitations: The transportation of property (except household goods) between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner Rowe moved to cancel PSC No. 3237. Commissioner Oberg seconded the motion which passed unanimously.

(428) In the matter of Docket T-97.54.OTSC. Edwin L. Maughan dba Maughan's Transfer, Ronan, Montana has failed to file a 1996 annual report and filing fee. An Order To Show Cause has been issued and received with no response.

Class C - Property within the town of Ronan, Montana and to or from points tributary hereto, but within a distance not exceeding fifty miles in any direction from said town.

Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Such operations are not to interfere with existing motor carriers.

Commissioner Rowe moved to cancel PSC No. 4326. Commissioner Oberg seconded the motion which passed unanimously.

(429) In the matter of Docket TN-1874. Montana PSC No. 9362, Fergus County Council on Aging, Lewistown, Montana has requested the addition of a business name, Central Montana Shuttle, to their operating authority.

Class B- Passengers and baggage in shuttle service between all points and places in Fergus, Petroleum, Yellowstone, Musselshell, Judith Basin, Cascade and Meagher Counties. Limitations: All movements must originate or terminate in Fergus County.

Commissioner Oberg moved to approve the addition of the business name. Commissioner Rowe seconded the motion which passed unanimously.

(430) In the matter of TN1875. Timothy W. Balazic dba Northwest Disposal Service, Bigfork, Montana requests permission to lease PSC No. 2714 to Marc W. Johnson dba Northwest Disposal Services, Ronan, Montana for a one year period, October 6, 1997 to October 6, 1998.

Class D - Garbage and refuse, authorized to serve an area whose eastern, western and northern boundaries are defined as the arc on the circumference of a 35 mile radius circle whose center originates at Polson, Montana; and whose southern boundary is defined as a cord of the 35 miles radius circle running

tangent to a 10 mile radius circle whose center originates at Ronan, Montana; including the town of Creston, Montana and points intermediate between Big Fork, Montana and Creston, Montana; and between Big Fork and Lakeside, Montana on the county road and U.S. Highway 93; and serving the United States Air Force radar base located near Lakeside, Montana. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Service within corporate limits of the City of Polson, Montana is prohibited. Transportation of household goods under Rule 31 is prohibited.

Class D - Garbage and refuse, between all points and places from Bigfork, Montana to the Missoula County line down Seeley Swan Highway by way of Highway 326 and Highway 209.

Commissioner Rowe moved to authorize the lease of PSC No. 2714 for a period of one year. Commissioner Oberg seconded the motion which passed unanimously.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Acting Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 7, 1997 the following members were present:

Nancy McCaffree, Vice Chair  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

Chairman Dave Fisher and Commissioner Bob Anderson were absent but left their votes with the Commission Secretary.

APPEARANCE  
Robin McHugh

(431) In the matter of the Commission's discussion of US West Rate Rebalancing Docket, D96.12.220; Commissioner Oberg moved to remove the stay on the procedural schedule and further adjust the procedural schedule by two (2) weeks from staff draft. Commissioner Rowe seconded the motion, which passed unanimously.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on October 10, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Rowe Commissioner

Commissioners Anderson and Oberg were absent, but left their votes for the following items with the Commission Secretary.

APPEARANCE  
Robin McHugh

(432) In the matter of the Commission's discussion of CELP, YELP and DNRC vs MPC jurisdictional issues - Docket Nos. D97.8.143, D97.7.127 and D97.7.128; Commissioner Rowe moved to request staff to prepare a final order to be brought back to the Commission for a final vote. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioners Oberg and Anderson voted aye.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, October 10, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Martin Jacobson, Joe Tierney, David Burchett, Mike Lee

(433) In the matter of Montana Power Company's natural gas restructuring case - Docket No. D96.2.22; Commissioner Anderson moved to direct staff to draft an order approving the stipulation as the Commission's final order. Commissioner Oberg seconded the motion, which passed unanimously.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 14, 1997 the following members were present:

Dave Fisher, Chairman  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

Vice Chair McCaffree and Commissioner Anderson were absent but did leave votes on the following items with the Commission Secretary.

APPEARANCE  
Dan Elliott, Administrator  
Utility Division

(434) In the matter of PROJECT TELEPHONE COMPANY - Docket N97.9.173; On September 25, 1997, Project Telephone Company filed a proposed text change signifying Two-Way, per trunk charges for PBX Service for the local exchanges of Project Telephone. This was a notice item on Agenda No. 97-10-6. Commissioner Oberg moved to approve the text changes. Commissioner Rowe seconded the motion, which passed unanimously. Commissioners McCaffree and Anderson voted aye.

(435) In the matter of VALLEY TELECOMMUNICATIONS INC. - Docket N97.9.176; On September 25, 1997, Valley Telecommunications Inc., filed a proposed text change signifying Two-Way, per trunk charges for PBX Service for the local exchanges of VTI. Commissioner Rowe moved to approve the text changes. Commissioner Oberg seconded the motion, which passed unanimously. Commissioners McCaffree and Anderson voted aye.

The next two items were voted on in one joint motion:

(436) In the matter of VALLEY TELECOMMUNICATIONS - Docket N97.9.179; On September 25, 1997, Valley Telecommunications filed to revise its tariff regarding customer deposits to allow the provision of local service only with no deposit required.

and;

In the matter of PROJECT TELEPHONE COMPANY - Docket N97.9.174; On September 25, 1997, Project Telephone filed to revise its tariff regarding customer deposits to allow the provision of local service only with no deposit required.

Commissioner Oberg moved to approve the revised tariffs in Docket Nos. N97.9.179 and N97.9.174. Commissioner Rowe seconded the motion, which passed unanimously. Commissioners McCaffree and Anderson voted aye.

The next two items were voted on in one joint motion:

(437) In the matter of VALLEY TELECOMMUNICATIONS, INC. - Docket N97.9.177; On September 25, 1997, Valley Telecommunications, Inc. filed tariff pages to add definitions for Special Number Services including: Non-Published, Non-Listed, Additional Listing and Foreign Exchange Listing. Rates were also added for Foreign Exchange Listing.

and;

(438) In the matter of PROJECT TELEPHONE COMPANY - Docket N97.9.180; On September 25, 1997, Project Telephone Co. filed tariff pages to add definitions for Special Number Services including: Non-Published, Non-Listed, Additional Listing and Foreign Exchange Listing. Rates were also added for Foreign Exchange Listing.

Commissioner Rowe moved to approve the tariff pages as filed in both Docket No. N97.9.177 and N97.9.180. Commissioner Oberg seconded the motion, which passed unanimously. Commissioners McCaffree and Anderson voted aye.

The next two items were voted on in one joint motion:

(439) In the matter of Project Telephone Company Docket N97.9.175; On September 25, 1997, Project Telephone Company filed tariff revisions introducing Directory Assistance Service definition and condition of service changes for the local exchanges of Project Telephone Company.

and;

(440) In the matter of Valley Telecommunications, Inc. Docket N97.9.178; On September 25, 1997, Valley Telecommunications, Inc. filed tariff revisions introducing the Directory Assistance Service definition and condition of service changes for the local exchanges of Valley Telecommunications, Inc. Commissioner Oberg moved to approve the tariff revisions for both Docket No. N 97.9.175 and Docket N97.9.178. Commissioner Rowe seconded the motion, which passed unanimously. Commissioners McCaffree and Anderson voted aye.

ADDITIONAL ITEM:

(441) In the matter of ENRON CAPITAL AND TRADE RESOURCES request for late intervention - Docket No. D97.7.91; ENRON Capital and Trade Resources mislaid its August 7, 1997 Petition for late Intervention in PacifiCorp. The Commissioner is in receipt of the petition. The discovery process in PacifiCorp is on a later schedule than is the Montana Power Company. Due date for the revised plan is October 16, 1997 and the final day for discovery is November 19, 1997. Commissioner Rowe moved to grant the request for late intervention to ENRON. Commissioner Oberg seconded the motion, which passed 3-0. Commissioners Fisher, Oberg and Rowe voted aye. Commissioner McCaffree and Anderson were unable to vote on this item.

#### APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(442) In the matter of Docket T-97.4.PCN - On August 18, 1997 Kitty Keller dba Big Sky Paramedics, Great Falls, Montana filed an application for a Certificate for Public Convenience and Necessary. Parties have stipulated to the following grant of authority:

Class B - Passengers in wheelchair service between all points and places in Cascade County. Limitation: Transportation movements originating and terminating within the city limits of Great Falls, Montana, is limited to the residents of Missouri River Manor, or its successor in interest.

Commissioner Oberg moved to approve the stipulated grant of authority. Commissioner Rowe seconded the motion, which passed unanimously. Commissioners McCaffree and Anderson voted aye.



(443) In the matter of TN1876 - Great Falls North American, Great Falls, Montana, PSC No. 2841, requests permission to continue to self insure, for a twelve month period, for cargo and liability purposes. Minimum liability insurance requirements are \$500,000 and the minimum cargo limits are \$10,000.

Class B - Household goods (as defined by Commission) from Billings and points within a radius of 10 miles in any direction from said city to all points and places in the State of Montana and from all points and places in the State of Montana to Billings and points within a radius of 10 miles in any direction from said city.

Class C - Property within the City of Great Falls, Montana and to or from points tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said city.

Limitations: The transportation of property between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

Class B - Household goods (as defined by Commission) from Havre, Montana and points within a radius of 25 miles in any direction from said city to all points and places in the State of Montana and from all points and places in the State of Montana to Havre and points within a radius of 25 miles in any direction from said city.

Class B - Household goods (as defined by Commission) from Great Falls and points within a radius of 10 miles in any direction from said city to all points and places in the State of Montana and from all points and places in the State of Montana to Great Falls and points within a radius of 10 miles in any direction from said city.

Commissioner Rowe moved to grant permission for PSC No. 2841 to self-insure. Commissioner Oberg seconded the motion, which passed unanimously. Commissioners McCaffree and Anderson voted aye.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 15, 1997 the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

Commissioner Anderson was absent, but left written votes on the following items with the Commission Secretary.

APPEARANCE

Martin Jacobson, Joel Tierney

(444) In the matter of the Commission's discussion of Pipeline Safety and NESC rules - L-97.8.5-RUL; Commissioner Oberg moved to publish the rules according to MAPA procedures. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Robin McHugh, Will Rosquist

(445) In the matter of the Commission's discussion of Montana Dakota Utility Company's annual filing of its least cost plan - D97.9.170; Commissioner Oberg moved to issue the Notice of Filing of its 1997 Least Cost Plan and an Opportunity for Comment. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Robin McHugh

(446) In the matter of the Commission's discussion of CELP, YELP and DNRC vs MPC jurisdictional issues - Docket Nos. D97.8.143, D97.7.127 and D97.7.128; Commissioner Rowe moved to approve the order finding the Commission lacks jurisdiction. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 20, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(447) In the matter of US WEST COMMUNICATIONS - Docket N97.10.182; On October 2, 1997, US WEST filed tariff transmittal 97-AC02, Revisions to Termination Liability Assessment - Private Line Transport Services Tariff. The filing deletes language that specifies a 15% termination liability assessment factor for all contracts and replaces it with language stating that the specific liability percentage corresponds to that specified in the service agreement. Commissioner Rowe moved to approve the tariff revisions. Commissioner McCaffree seconded the motion, which passed unanimously.

(448) In the matter of US WEST COMMUNICATIONS - Docket N97.10.183; On October 2, 1997, US WEST filed Tariff Transmittal 97-35, Revisions to Termination Liability Assessment - Exchange and Network Services Tariff. The filing deletes language that specifies a 15% termination liability assessment factor for all contracts and replaces it with language stating that the specific liability percentage corresponds to that specified in the service agreement. Commissioner McCaffree moved to approve the tariff revisions. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(449) In the matter of TN1877 - Greyhound Lines, Inc., Dallas, Texas, PSC No. 8939, requests permission to continue to self insure for the first 1.5 million in losses for both cargo and liability purposes. Carrier maintains excess coverage through licensed insurance companies for the balance of required coverage. Commissioner McCaffree moved to approve the request to self insure. Commissioner Rowe seconded the motion, which passed unanimously.

(450) In the matter of TN1878 - Pixley Transportation, Inc., Gillette, Wyoming requests permission to lease PSC No. 4819 to Powder River Transportation Services, Inc., Gillette, Wyoming from October 20, 1997 until the sale and transfer proceeding is completed.

Class C - Burlington Northern train crews and their baggage in the same vehicle, between all points and places in the State of Montana. Limitation: No movements shall originate in Flathead County, Montana unless they are part of round trip movements initially originating outside of Flathead County.

Class C - Train crews and their baggage between points and places in and west of Carbon, Yellowstone, Golden Valley, Fergus and Blaine Counties, Montana.

Commissioner Rowe moved to approve the lease. Commissioner McCaffree seconded the motion, which passed unanimously.

(451) In the matter of TN1879 - Thomas F. Kenneally, Butte, Montana requests permission to continue the lease of PSC No. 4448 to The McGree Corporation, Butte, Montana for a twelve month period, October 12, 1997 to October 12, 1998.

Class D - Ashes, trash, waste, refuse, rubbish and garbage within the town of Whitehall, Montana, and to or from points tributary thereto, but within a distance not exceeding eighty (80) miles in any direction from town. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Rowe moved to approve the lease for a period of 1 year. Commissioner McCaffree seconded the motion, which passed unanimously.

(452) In the matter of TN1880 - James H. and Joan P. Michael dba Airport Shuttle Service, Kalispell, Montana request permission to continue the lease of PSC No. 3664 to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi & Airport Shuttle Service, Kalispell, Montana for a twelve month period, October 7, 1997 to October 7, 1998.

Class B - Persons and baggage from Kalispell, Montana, and a two mile radius thereof to Glacier International Airport via U.S. Highway No. 2, and State Highway No. 206, serving all intermediate points and return. Limitations: The transportation of persons and baggage between points and places within the City of Kalispell and a two mile radius thereof is prohibited.

Class B - Persons and baggage deplaning from Frontier Airlines and Hughes Airwest flights at Glacier Park International Airport to West Glacier, Montana, and return over Montana Highway No. 206 and 40 and U.S. Highway No. 2, subject to the condition that carrier advise Glacier Park, Inc., of its proposed service schedule and take such steps as may be reasonably necessary to coordinate service with that furnished by Glacier Park, Inc.

Class B - Persons and personal baggage between all points and places within Kalispell and a three (3) mile radius thereof. Limitations: 1) Transportation of passengers in limousine service is prohibited. 2) Transportation of Burlington Northern train crews is prohibited. 3) Transportation of express is prohibited. 4) Utilization of vans is restricted to the transportation of fifteen (15) people, or less, per vehicle.

Commissioner Rowe moved to approve the continuation of the lease for a period of 1 year. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE  
Laura Calkin  
Centralized Services

(453) In the matter of the approval of Commission Minutes; Commissioner McCaffree moved to approve the Commission Minutes for the week of September 29, 1997, and October 6, 1997 Minutes. Commissioner Rowe seconded the motion, which passed unanimously.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 21, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE  
Dennis Crawford

(454) In the matter of the Commission's discussion of BTU Monitoring contract for 97-98 heating season; Commissioner McCaffree moved to approve the BTU Monitoring contract for the 1997/1998 heating season. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE  
Robin McHugh, Dan Elliott, Wayne Budt

(455) In the matter of its budget and out-of-state travel; Commissioner Rowe moved to approve out-of-state travel for 1 attorney to the NARUC Annual Meeting and 1 attorney to DOE Electric Conference in Washington, D.C. Commissioner Anderson seconded the motion, which passed unanimously.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)



At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 27, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner was absent but left his votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(456) In the matter of SPRINT COMMUNICATIONS COMPANY - Docket N97.10.189; On October 14, 1997, Sprint filed tariff pages to delete text regarding the payphone surcharge and to change the Intrastate/InterLATA, MTS rates. Commissioner Anderson moved to approve the tariff filing. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(457) In the matter of SPRINT COMMUNICATIONS CO. - Docket N97.10.186; On October 9, 1997, Sprint Communications Co., submitted a tariff filing purposing the following changes: (1) to introduce Sprint Sense College Plan and Sprint Sense College Plan Option B; (2) restructure Moonlight Madness; and (3) add text changes to the Operator Services Call Placement section and Casual Caller Service Charge. Commissioner McCaffree moved to approve the tariff filing. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye

(458) In the matter of WORLDCOM INC. - Docket N97.10.185; On October 8, 1997, WorldCom, Inc. filed tariff pages reflecting a name change to WorldCom Technologies, Inc. The filing reflects text changes; deletes obsolete services; and grandfathers services that are no longer being sold, but do have existing customers on them. Commissioner Oberg moved to approve the tariff filing. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(459) In the matter of BLACK HILLS POWER & LIGHT - Docket D97.9.181; On September 26, 1997, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on September 30, 1997. Requests for hearing were due by October 27, 1997. No requests have been received. This application will increase rates by \$3,036 over the base cost of fuel approved in Docket No. 83.4.25. Commissioner McCaffree moved to approve Default Order No. 6020. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(460) In the matter of USWC & MONTANA TEL-NET - Docket D97.7.135; On July 31, 1997, the parties filed their negotiated interconnection agreement for Commission approval. The agreement incorporates a separate Resale Agreement that was previously negotiated. The Commission met in a work session on October 21, 1997, giving staff direction on two specific provisions. Staff also recommended rejection of several other provisions as discriminating against a carrier not a party to the agreement, not consistent with the public interest, convenience and necessity, or not consistent with Montana law. A draft Final Order has been prepared and distributed which provides for approval of some of the rejected sections if amended as set forth in the order within 14 days. Commissioner Oberg moved to delete sections noted in Appendix A and to

approve the draft final order with amendments as noted by staff. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(461) In the matter of PSC Investigation - SERVICE COST MODEL - Docket D97.9.167; In addition to the timely petitions for intervention filed in this docket, the Commission received late petitions for general intervention, one from Montana Consumer Counsel on September 23, 1997 and one from Citizens Telecommunications Company on September 24, 1997. Deadline for intervention was September 22, 1997. The petitioners' intervention will not unduly broaden the issues in the proceeding or delay the proceeding and their participation is in the public interest. Commissioner Anderson moved to grant late intervention. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(462) In the matter of MONTANA POWER COMPANY - Docket D97.7.90; XENERGY has filed a petition for late intervention. Staff recommends approval providing intervention does not unduly broaden the issues or delay the proceedings. Commissioner McCaffree moved to grant late intervention. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

#### APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(463) In the matter of Docket T-97.69.PCN - On June 5, 1997 Garbage, Inc., Havre, Montana filed an application for a Certificate for Public Convenience and Necessary. Parties have stipulated to the following grant of authority:

Class D - Garbage, limited to materials from demolition or construction projects, between all points and places in Blaine, Choteau, and Hill counties. Limitations: (1) Transportation within the city limits of Harlem and the area within the Fort Belknap Indian Reservation is prohibited. (2) In Choteau County, service is limited to Northeastern Chouteau County, specifically described as that portion of Chouteau County located north of the Missouri River, east of a line starting at Virgelle and following the westerly road between Virgelle and U.S. Highway 87, then following U.S. Highway 87 north to Montana Highway 432, then following Montana Highway 432 west and north until it intersects with the Hill County boundary. (3) Transportation of normal household waste is prohibited. (4) Use of waste disposal containers or drop boxes of less than 13 cubic yards is prohibited. (5) Transportation is limited to waste materials from the specific demolition or construction project site(s) for which the waste disposal container is provided. (6) Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Oberg moved to approve the stipulated grant of authority. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(464) In the matter of the Commission's approval of the December, 1997 Calendar; Commissioner McCaffree moved to grant late intervention. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on October 28, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner Rowe was absent but left written votes and proxies on the following items as indicated below.

APPEARANCE  
Martin Jacobson

(465) In the matter of Commission's discussion of Montana Dakota Utility Company's monthly tracker - Docket No. D97.10.188; Commissioner McCaffree moved to approve MDU's request for a protective order. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe left a written vote, voting aye.

APPEARANCE  
Martin Jacobson, Mike Sheard

(466) In the matter of Commission's discussion of the request for Extended Area Service (EAS) in the Gardiner and West Yellowstone area; Commissioner McCaffree moved to open a docket and issue a notice to consider the merits of a Yellowstone and Gardiner area EAS. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe left his proxy on this item to Chairman Fisher. Commissioner Fisher cast and "aye" vote for Commissioner Rowe.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

\_\_\_\_\_  
BOB ROWE, Commissioner

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 28, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner

Commissioner Rowe was absent but left a written vote on the following item.

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(467) In the matter of Montana Power Company's Revenue Requirements, Gas Costs, Allocated Cost of Service and Rate Design for Natural Gas, Service, Restructuring and Consolidation of Related cases and issues - Docket No. D96.2.22; Commissioner Anderson moved to moved to approve Order No. 5898d (subject to editing) as the Commission's final order in the docket. Commissioner Oberg seconded the motion, which passed 4-1. Commissioners Fisher, Oberg, Anderson and Rowe voted aye. Commissioner McCaffree dissented.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, October 30, 1997, the following members were present:

Dave Fisher, Chairman  
Nancy McCaffree, Vice Chair  
Bob Anderson, Commissioner  
Danny Oberg, Commissioner  
Bob Rowe Commissioner

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(468) In the matter of the Commission's discussion of what is commonly referred to as "slamming" - the unauthorized changes of primary interexchange or local exchange carrier; Commissioner McCaffree moved to issue notice of amendment and adoption of rules pertaining to "slamming". Commissioner Anderson seconded the motion, which passed unanimously.

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

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DAVE FISHER, Chairman

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NANCY McCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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DANNY OBERG, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)