

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, March 24, 2003, the following members were present:

- Bob Rowe, Chairman
- Thomas J. Schneider, Vice Chairman
- Greg Jergeson, Commissioner
- Jay Stovall, Commissioner, via telephone

Commissioner Brainard was absent and did not leave written votes with the Commission Secretary.

APPEARANCE

Robin McHugh, Wayne Budt, Steve Vick, Eric Eck

(108) In the matter of the Commission's discussion of legislation; Commissioner Jergeson moved to send a letter opposing the amendments to HB 266. Commissioner Schneider seconded the motion, which passed with a vote of 4 to 0. The vote was left open for Commissioner Brainard, who later cast his vote aye making the vote unanimous.

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

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Rhonda J. Simmons
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, March 24, 2003, the following members were present:

- Bob Rowe, Chairman
- Thomas J. Schneider, Vice Chairman
- Matt Brainard, Commissioner, via telephone
- Greg Jergeson, Commissioner
- Jay Stovall, Commissioner

APPEARANCE

Martin Jacobson, Mike Lee, Kate Whitney

(109) In the matter of the Commission's discussion of legislation; Commissioner Schneider moved to support the HB 641 as amended and agreed upon by various parties, and send a letter to the committee. Commissioner Stovall seconded the motion, which passed unanimously.

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

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Rhonda J. Simmons
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, March 25, 2003, the following members were present:

- Bob Rowe, Chairman
- Thomas J. Schneider, Vice Chairman
- Matt Brainard, Commissioner
- Greg Jergeson, Commissioner
- Jay Stovall, Commissioner

APPEARANCE

- Steve Vick
- Utility Division

(110) In the matter of Qwest Communications, Inc., Docket No. N2003.3.28; On March 4, 2003, Qwest Communications filed Tariff Transmittal 03-05, Telephone Assistance Program Revision. The revision is proposing new tariff language regarding application of the Telephone Assistance Program (TAP) to employee accounts with concession. The purpose of the filing is to insure employees or retirees qualified for TAP, and with either 100% or 50% concession for their local service, receive 100% TAP benefits less the amount of their concession discount. The reason for the change is that if the TAP benefit is not reduced by the amount of the concession, Qwest could be in the position of actually crediting an employee for more than the amount of the actual bill. This new tariff change cleans up a unique situation regarding a very limited number of Qwest employees and retirees that qualify for TAP. Qwest is requesting an April 3, 2003 effective date. Commissioner Schneider moved to approve the tariff revision. Commissioner Stovall seconded the motion, which passed unanimously.

(111) In the matter of NorthWestern Energy, Docket No. D97.11.219; On March 10, 2003, NWE filed its eighth semi-annual true-up Advice Letter pursuant to Order No. 6035a. This filing is made by NWE in its role as servicer of the Natural Gas Transition Bonds. If the previous six-month period variance between the scheduled debt service and the actual amounts available to satisfy the scheduled debt service for such period exceeds 2 percent NWE is required to apply for adjustment to the Fixed Transition Amount (FTA) charges. The variance for the period was an overcollection of 2.86 percent or \$132,626. The variance was a result of higher actual collections versus the prior estimated collections. The new increased FTA rates include the overcollection. Staff recommends that the changes in the FTA charges be approved effective April 1, 2003. Commissioner Brainard moved to approve the new rates. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

- Wayne Budt, Administrator
- Transportation & Centralized Services Division

(112) In the matter of T-02.29.PCN; On June 17, 2002 William E. Baird dba Bitterroot Cab Co., Victor, Montana applied for an intrastate certificate of public convenience and necessity. The docket was noticed to the public on July 5, 2002 and protests were received. A public hearing was scheduled for October 15, 2002 and, at the applicant's request, vacated. Attempts to work with the applicant to move forward with this docket have not been successful. A notice of this action to close the docket was sent to the applicant by certified mail on February 26, 2003 and received by him on February 27, 2003. That notice required that he advise this office by March 14, 2003 as to his intentions for this docket. There has been no response from him.

Class B - Passengers (1) between all points and places in Ravalli County; and (2) from Ravalli County to Missoula County and return.

Commissioner Brainard moved to close the docket. Commissioner Stovall seconded the motion, which passed unanimously.

(113) In the matter of T-03.2.PCN; On January 17, 2003 Tracy Burland dba Mr. B's Limo, Ronan, Montana filed an application for an intrastate certificate of public convenience and necessity. That application was noticed to the public on February 7, 2003, with protests due by February 26, 2003. Protests were received. Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana has submitted a request for late intervention in this docket.

Class B - Passengers in limousine service between all points and places in Flathead, Lake and Missoula Counties, Montana.

Commissioner Schneider moved to grant the late intervention. Commissioner Stovall seconded the motion, which passed unanimously.

(114) In the matter of T-03.4.PCN; On January 27, 2003 Darrell A. Hegel dba D.C. Cab, Columbia Falls, Montana filed an application for an intrastate certificate of public convenience and necessity. That application was noticed to the public on February 7, 2003, with protests due by February 26, 2003. Protests were received. Flathead Area Custom Transportation, Inc. dba Kalispell Taxi and Airport Shuttle Service, Kalispell, Montana has submitted a request for late intervention in this docket.

Class B - Passengers between all points and places in Columbia Falls, Montana and a fifty (50) mile radius thereof. LIMITATION: Transportation is limited to Flathead County, Montana.

Commissioner Schneider moved to grant the late intervention. Commissioner Brainard seconded the motion, which passed unanimously.

(115) In the matter of T-03.7.RI; On February 12, 2003 Anaconda Chamber of Commerce, Anaconda, Montana, filed for increased rates and charges in their Passenger Tariff No. 1, on adult fares, of 25% raising the adult fare from \$4.00 to \$5.00. The application was noticed to the public on February 20, 2003 and no protests were received.

Class B - Passengers within the city of Anaconda, Montana, and a twenty (20) mile radius thereof. Limitations: Transportation is limited to that annual service between June 14 and September 12.

Commissioner Brainard moved to approve the increased rates. Commissioner Schneider seconded the motion, which passed unanimously.

(116) In the matter of TN2174; Lynn J. Labatte dba L & L Sanitation, Culbertson, Montana, PSC No. 5039, has submitted his 2002 Annual Report reflecting no intrastate Montana revenue. Mr. Labatte is serving the communities of Froid and Bainville, as well as approximately 80 rural customers in Montana. However, the waste is transported to the closest landfill located in North Dakota making the movements interstate in nature. ARM 38.3.1205(c) requires the Commission to consider the verified statement in lieu of intrastate operations. Commissioner Stovall moved to accept the verified statement in lieu of report. Commissioner Jergeson seconded the motion, which passed unanimously.

(117) In the matter of TN2175; L.S. Jensen & Sons, Inc., Missoula, Montana, PSC No. 400, has filed a verified statement of no operations under their Class D certificate. This certificate is in the process of transfer (T-00.105.ST) and complaint was filed blocking that transfer (T-00.111.COM). Staff recommends acceptance of the verified statement on condition that the matter be subject to evidence and argument on the verified statement, if any, submitted at the hearing in the above referenced dockets. ARM 38.3.1205(c) requires the Commission to consider the verified statement in lieu of intrastate operations. Commissioner Brainard moved to accept the verified statement in lieu of report. Commissioner Stovall seconded the motion, which passed unanimously.

(118) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of March 17, 2003. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Leroy Beeby

(119) In the matter of the Commission's discussion of Project Telephone Company and Valley Telecommunications, Inc. Request for Directory Assistance Tariff Changes, Dockets No. N2003.2.26 and N2003.2.27, respectively; Commissioner Brainard moved to deny the tariff changes. Commissioner Stovall seconded the motion, which failed with a vote of 2 to 3. Commissioners Brainard and Stovall voted aye. Commissioners Jergeson, Rowe and Schneider dissented.

Commissioner Rowe moved to reject the filing but approve a 95 cents per call allowance with a three call exception for residential customers, and instruct Valley and Project to refile tariffs. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 1. Commissioners Jergeson, Rowe, Schneider and Stovall voted aye. Commissioner Brainard dissented.

APPEARANCE

Martin Jacobson, Tina Shorten

(120) In the matter of the Commission's discussion of Montana-Dakota Utilities Co. General Gas Rate Case, Docket No. D2002.5.59; Commissioner Schneider moved to allow all customers the availability of pilot light service up to and including two times per year, and modify the order accordingly. Commissioner Brainard seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Wayne Budt, Steve Vick, Will Rosquist, Eric Eck

(121) In the matter of the Commission's discussion of legislation; Commissioner Brainard moved to oppose HB 330. Commissioner Schneider seconded the motion, which failed with a vote of 2 to 3. Commissioners Brainard and Schneider voted aye. Commissioners Jergeson, Rowe and Stovall dissented.

Commissioner Jergeson moved to state that "the majority of the PSC does not believe preapproval legislation is necessary, but does support the amendments to SB 247 as an available approach if the Legislature decides to pass preapproval legislation." Commissioner Rowe seconded the motion, which passed with a vote of 4 to 1. Commissioners Brainard, Jergeson, Rowe and Stovall voted aye. Commissioner Schneider dissented.

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

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Rhonda J. Simmons
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, March 27, 2003, the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner, via telephone
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE

Monica Tranel, Mike Lee

(122) In the matter of the Commission's discussion of Ronan Telephone Company v. Blackfoot Communications, Docket No. D2000.1.14; Commissioner Schneider moved to deny Qwest's motion to intervene. Commissioner Stovall seconded the motion, which passed unanimously.

Commissioner Schneider moved to direct staff to prepare a draft order concerning uncontested issues from the commission discussion, and give Ronan an opportunity to present their response to the MCC pleadings. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Steve Vick, Will Rosquist

(123) In the matter of the Commission's discussion of legislation; Commissioner Jergeson moved to draft amendments to SB 247 that would create a statutory appropriation for the consulting budget. Commissioner Schneider seconded the motion, which passed unanimously.

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

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)