

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, July 22, 2003, the following members were present:

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

APPEARANCE
Scott Fabel
Utility Division

(292) In the matter of Qwest Communications - Docket No. N2003.7.90; on July 3, 2003, Qwest filed Tariff Transmittal 03-18, Introduction of Public Access Line (PAL) Fraud Protection. This filing introduces PAL-specific Fraud Protection USOCs at a reduced recurring/non-recurring rate and is being made at this time to comply with FCC Order No. 02-025 which provided a new service test for PAL services that lowers associated PAL rates. Qwest is requesting an effective date of July 28, 2003. Commissioner Stovall moved to approve the filing of Introduction of Public Access Line (PAL) Fraud Protection. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(293) In the matter of TN2191; Kenneth A. VanderVen dba Lewistown Transfer & Storage Company, Lewistown, Montana, owner/lessor and Jason J. Larson dba Lewistown Transfer, Lewistown, Montana, lessee request that the lease of PSC No. 1122 be terminated and control of the permit returned to Kenneth A. VanderVen dba Lewistown Transfer & Storage Co. effective immediately.

Class B - Household goods (as defined by Commission) between all points in the State of Montana over any public highways.

SUB A Class C - Property in the City of Lewistown, Montana, and to or from points immediately 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. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB B Class C - Property within the City of Lewistown, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said city. Limitations: Transportation of property between points served by rail carriers is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner Jergeson moved to terminate lease of PSC No. 1122 and control of the permit returned to Kenneth A. VanderVen dba Lewistown Transfer & Storage Co. Commissioner Schneider seconded the motion, which passed unanimously.

(294) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of July 14, 2003. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE
Monical Tranel

(295) In the matter of the Commission's discussion of Touch America Bankruptcy; Commissioner Schneider moved to petition to intervene as party of intent and ensure customer accounts are adequately serviced. Commissioner Brainard seconded the motion, which passed 4-1. Commissioner Stovall dissented.

APPEARANCE
Mike Morris

(296) In the matter of the Commission's discussion of Lincoln Telephone Cooperative, Inc. – D2003.6.84; Commissioner Schneider moved to approve the application of Phase I of EAS proceedings. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson

(297) In the matter of the Commission's discussion of Northwestern Energy 2002/2003 Gas Tracker and 2003/2004 – D2002.11.140 and D2003.6.66; Commissioner Schneider moved to deny motion for reconsideration accept a response of order and testimony by parties could be filed and direct staff to draft a procedural schedule. Commissioner Rowe seconded the motion, which failed 2-3. Commissioners Schneider and Rowe voted aye. Commissioners Brainard, Jergeson and Stovall dissented.

Commissioner Rowe moved a supplement motion proceeding to address appropriate remedy for partial imprudence and focused on any offsets in gas costs, storage and other expenses. Commissioner Schneider seconded the motion, which failed 2-3. Commissioners Schneider and Rowe voted aye. Commissioners Brainard, Jergeson and Stovall dissented.

Commissioner Schneider moved to deny motion for reconsideration concerned with remedies in general . Commissioner Rowe seconded the motion, which failed 2-3. Commissioners Schneider and Rowe voted aye. Commissioners Brainard, Jergeson and Stovall dissented.

Commissioner Brainard moved to grant reconsideration and address open reserve issue to cover rights and remedy. Motion failed for lack of second.

Commissioner Brainard moved to deny motion for reconsideration. Commissioner Schneider seconded

the motion, which passed 3-2. Commissioners Stovall and Jergeson dissented.

APPEARANCE

Al Brogan

(298) In the matter of the Commission's discussion of T-03.4.PCN; Darrell A. Hegel dba D.C. Cab, Columbia Falls, Montana, Application for Montana Intrastate Certificate of Public Convenience and Necessity; Commissioner Rowe moved to adopt the proposed order as a final order. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt and Laura Calkin

(299) In the matter of the Commission's discussion of Travel/Budget; Commissioner Schneider moved to approve out of state travel for Joel Tierney to attend the Western Regional Meeting, Casper, WY – August 18-2003 and NAPSR National Meeting, Sunset Beach, NC – September 8-12, 2003. Commissioner Stovall seconded the motion, which passed unanimously.

Commissioner Brainard move to reduce travel and subscriptions by 20%. Commissioner Jergeson moved a substitute motion that the ACT Team develop some option to reduce travel and subscriptions by 10%. Commissioner Brainard 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:

Ann Purcell
Commission Secretary

(SEAL)