

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on October 21, 2003, the following members were present:

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

APPEARANCE

Kate Whitney, Administrator
Utility Division

(190) In the matter of Qwest Corporation - Docket No. D2000.6.80: On October 2, 2003, Qwest submitted amendments to Exhibit B of the Qwest Statement of Generally Available Terms & Conditions (SGAT) pursuant to Section 252 of the Telecommunications Act of 1996. Exhibit B is comprised entirely of the Performance Indicator Definitions (PIDs) that are used to evaluate Qwest's service to its local service competitors. In this filing, Qwest proposes revisions to the OP-3 (installation commitments met) and OP-5 (new service installation quality) PIDs. Qwest requests: (1) the commission approve the amended Exhibit B effective November 1, 2003; and (2) the commission deem the amended Exhibit B to modify the SGAT and existing interconnection agreements that currently contain the PIDs as an exhibit.

Commissioner Stovall moved to approve Qwest requests. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation/Centralized Services Division

(191) In the matter of TN2197: Fred M. Zweifel dba Circle Z Enterprises, Virginia City, Montana requests permission to suspend PSC No. 9270 for a six month period September 29, 2003 to March 29, 2004.

Class B - Passengers within the City of Virginia City and a two mile radius thereof.

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

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

APPEARANCE
Robin McHugh

(193) In the matter of the Commission's discussion of Mooseweb Communications Petition for arbitration with Citizens/Frontier Communications pursuant to the 96 Act and PSC rules - Docket No. D2003.10.144:

Commissioner Schneider moved that a quorum of the Commission act as arbitrator and further moved a staff attorney be appointed hearing examiner for procedural matters. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE
Al Brogan

(194) In the matter of the Commission's discussion of Montana Dakota Utilities, Co. Notice of Withdrawal of Application - Docket No. D2003.8.120:

Commissioner Stovall moved to approve the Notice of Withdrawal of Application. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE
Robin McHugh, Al Brogan

(195) In the matter of the Commission's discussion of NorthWestern Energy's Bankruptcy:

Commissioner Jergeson moved to approve the proposal in the method of segregating USB funds during the bankruptcy. Commissioner Brainard seconded the motion, which passed unanimously.

Commissioner Brainard moved that the Public Service Commission contact the legislature and notify the Governor that the PSC needs a Special Session to increase spending authority to cover the bankruptcy. Commissioner Jergeson seconded the motion, which passed 3-2. Commissioners' Stovall and Rowe dissented.

APPEARANCE
Wayne Budt, Administrator
Transportation/Centralized Services Division

(196) In the matter of the Commission's discussion of Staff Travel, Budget:

Commissioner Stovall moved to approve out-of-state travel to MISO meeting . 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:

Connie Jones
Commission Secretary

(SEAL)