

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on May 10, 2005 at 9:30 a.m., the following members were present:

Greg Jergeson, Chairman  
Brad Molnar, Vice Chairman  
Doug Mood, Commissioner  
Robert H. Raney, Commissioner  
Thomas J. Schneider, Commissioner

APPEARANCE

Scott Fabel  
Utility Division

(182) In the matter of MCI Telecommunications Corporation filed revision to its Montana Tariff No. 2 to introduce RLK, RLL Service, Basic Calling Plan II and Small Business Long Distance Plan d: Grandfathering Basic Calling Plan T, U, Y and make textual changes to RLG/RLL Certificate Promotion 2 and \$10 Credit Promotion- Docket No. N2005.4.73:

Commissioner Schneider moved to approve the MCI revision to its Montana Tariff in Docket No. N2005.4.73. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(183) In the matter of the February 15, 2005 Mark J. Fournier dba R&B Limousine Service, Hamilton, Montana filed application to transfer PSC No. 9445 to R & B Limousine Service LLC, Victor, Montana in Docket No. T-05.7.ST:

Commissioner Mood moved to approve the sale and transfer in Docket No. T-05.7.ST. Commissioner Raney seconded the motion, which passed unanimously.

(184) In the matter of The Museum of the Rockies, Bozeman, Montana request that PSC No. 9108 be cancelled based on HB 273:

Commissioner Raney moved to approve the cancellation of PSC No. 9108. Commissioner Schneider seconded the motion, which passed unanimously.

(185) In the matter of Lloyd S. Hanson dba Valley Transfer & Storage, Kalispell, Montana requests permission to lease PSC No. 4991 to Ronald G. Baier dba Runnin' Bear moving & Storage, Kalispell, Montana for three months May 10, 2005 to August 10, 2005- Docket No. TN2261:

Commissioner Schneider moved to approve the lease of PSC No. 4991 for the three month period from May 10, 2005 to August 10, 2005. Commissioner Raney seconded the motion, which passed unanimously.

(186) In the matter of Valet Limousine, Inc., Missoula, Montana requests permission to lease PSC No. 7172 to Valet Limousine LLC, Missoula, Montana for a six month period, November 9, 2004 to May 9, 2005- Docket No. TN2262:

Commissioner Mood moved to approve the lease of PSC No. 7172 for the six-month period from November 9, 2004 to May 9, 2005. Commissioner Raney seconded the motion, which passed unanimously.

(187) In the matter of the approval of Commission Minutes:

Commissioner Molnar moved to approve the Commission Minutes for the week of May 02, 2005. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

Legal Division

(188) In the matter of the Commission's discussion of 3 River's request for PSC certification of ETC status to the FCC and USAC for purposes of the Shelby exchange- Docket No. D2003.2.23:

Commissioner Jergeson moved to certify 3 Rivers as an ETC for the purposes of the Qwest Shelby exchange. Commissioner Schneider seconded the motion, which passed unanimously.

(189) In the matter of the Commission's discussion of Interbel Wireless and Northern Communications ETC Applications- Dockets No. D2004.1.5 and D2004.1.8:

Commissioner Schneider moved to grant the application to withdraw in D2004.1.5 for Interbel Wireless and D2004.1.8 for Northern Communications. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel- Legal Division

Phil Cooke- Utility Division

(190) In the matter of the Commission's discussion of Commission initiation of complaint against GoInternet for cramming.

Commissioner Raney moved to revoke GoInternet's registration with the PSC under

D2002.10.126. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel- Legal Division

Mike Lee- Utility Division

(191) In the matter of the Commission's discussion of Covad petition for arbitration with Qwest-Docket No. D2005.4.51:

Commissioner Raney moved to appoint Monica Tranel as hearing examiner for pre hearing procedural matters in D2005.4.51. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Monica Tranel- Legal Division

Gary Duncan- Utility Division

(192) In the matter of the Commission's discussion of Interconnection Agreements between Range Telephone Cooperative and Verizon Wireless in Docket No. D2005.5.20, Lincoln Telephone Company and Verizon Wireless in Docket No. D2005.2.22, and one amendment to an Interconnection Agreement between Qwest Corporation and Blackfoot Communications in Docket No. D2004.5.83:

Commissioner Molnar moved to approve the Interconnection Agreement for traffic termination between Range Telephone Cooperative and Verizon Wireless in Docket No. D2005.2.20. Commissioner Raney seconded the motion, which passed unanimously.

Commissioner Schneider moved to approve the Interconnection Agreement for traffic termination between Lincoln Telephone Company and Verizon Wireless in Docket No. D2005.2.22. Commissioner Raney seconded the motion, which passed unanimously.

Commissioner Mood moved to approve the amendment to the Type 2 Wireless Interconnection Agreement between Qwest Corporation and Blackfoot Communications in Docket No. D2004.5.83. Commissioner Schneider seconded the motion, which passed unanimously.

(193) In the matter of the Commission's discussion of Qwest Platform Plus (QPP) agreements with Qwest, AT&T, Primetime, Lightyear, Ionex, Bullseye, VCI, Preferred Carrier, McCleod, Covad, Contact, PiperTel, Vycera, and New Rochelle in Dockets No. D2005.4.57, D2005.4.59, D2005.4.60, D2005.4.61, D2005.4.62, D2005.4.64, D2005.4.65, D2005.4.67, D2005.4.68, D2005.4.69, D2005.4.70, D2005.4.71, and D2005.4.72:

Commissioner Schneider moved that the PSC accept and approve the proposed QPP agreements for the 13 Interconnection Agreements under section 252(e) and direct staff to prepare an order of explanation for those agreements. Commissioner Raney seconded the motion, which passed

unanimously.

APPEARANCE

Will Rosquist  
Utility Division

(194) In the matter of the Commission's discussion of MDU application for an increase in natural gas rates- Docket No. D2004.4.50:

Commissioner Jergeson moved to approve and issue the final order in Docket No. D2004.4.50 subject to the minor editing discussed. Commissioner Raney seconded the motion, which passed 4-1. Commissioner Molnar voted nay.

APPEARANCE

Al Brogan- Legal Division  
Joel Tierney- Utility Division

(195) In the matter of the Commission's discussion of Westech Energy Corporation application for an order recognizing it as a Regulated Common Carrier- Docket No. D2004.12.195:

Commissioner Schneider moved to grant Westech Energy Corporation's Motion to Convert Application to Petition for Declaratory Ruling. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson  
Legal Division

(196) In the matter of the Commission's discussion of NWE Annual Qualifying Facility Avoided Cost motion for reconsideration for suspension of issues- Docket No. D2003.7.86 and D2004.6.96:

Commissioner Raney moved to deny NWE's motion for reconsideration of PSC's action on discovery in Docket No. D2003.7.86 and D2004.6.96. Commissioner Mood seconded the motion. No vote was taken.

Commissioner Schneider made a substitute motion to grant the motion for reconsideration of PSC action of discovery related to the proprietary issues and grant the intervenor (Whitehall Wind) restricted access that does not include access to proprietary bid information. Commissioner Molnar seconded the motion, which passed 4-1. Commissioner Raney voted nay.

Commissioner Schneider moved to grant the petition to consolidate the dockets in 2003 and 2004 with the expected dockets in 2005. Commissioner Molnar seconded the motion, which passed

unanimously.

Commissioner Schneider moved to bifurcate those additional issues that are not required to resolve the core filings in 2003, 2004, and 2005 that the record be preserved and available for the resolution of the bifurcated additional issues and move the proceedings as fast as possible.

Commissioner Schneider withdrew his motion.

(197) In the matter of the Commission's discussion of NWE annual gas cost trackers and related litigation- Docket No. D2002.11.140, D2003.6.66, and D2004.6.88:

Commissioner Schneider moved the PSC approve the settlement of the litigation with the suggested language changes in section D. Commissioner Molnar seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh  
Legal Division

(198) In the matter of the Commission's discussion of Mountain Water power cost tracking adjustment- Docket No. D2005.4.49 and as necessary D2004.9.145 or other related dockets:

Commissioner Mood moved to deny the motion of Mountain Water for interim relief within 30 days without prejudice. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson  
Legal Division

(199) In the matter of the Commission's discussion of ETC Lifeline/ Link-Up Rules- Docket No. L-05.03.3-RUL:

Commissioner Raney moved to adopt the rules in L-05.03.3-RUL as proposed with the modifications in the final draft. Commissioner Schneider seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator  
Transportation & Centralized Services Division

(200) In the matter of the Commission's discussion of the case management tracking system rewrite:

Commissioner Schneider moved to approve the contract for the case management tracking system

rewrite. Commissioner Raney seconded the motion, which passed unanimously.

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

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GREG JERGESON, Chairman

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BRAD MOLNAR, Vice Chairman

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DOUG MOOD, Commissioner

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ROBERT H. RANEY, Commissioner

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THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones  
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, May 13, 2005, the following members were present:

Greg Jergeson, Chairman  
Doug Mood, Commissioner  
Robert H. Raney, Commissioner  
Thomas J. Schneider, Commissioner

Commissioner Brad Molnar was absent and did not leave a vote with the Commission Secretary.

APPEARANCE

Martin Jacobson, Legal  
Mike Lee and Gary Duncan Utility

(201) In the matter of the Commissioner's discussion of D2005.1.1 – Qwest – Use of Federal Universal Service Funds;

Commissioner Schneider moved to direct staff to prepare a draft of a contested case proceeding predicated on the FCC Order regarding non-rural carriers for the purpose of determining how Qwest USF funds will be targeted going forward. Commissioner Raney seconded the motion, which passed 4 to 0.



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

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GREG JERGESON, Chairman

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DOUG MOOD, Commissioner

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ROBERT H. RANEY, Commissioner

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THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Judy Scheier  
Commission Secretary

(SEAL)