

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, July 7, 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 but left his proxy with Commissioner Mood.

APPEARANCE

Joel Tierney
Utility Division

(271) In the matter of Yellowstone Pipeline Co. May 23, 2005 filed application to reduce its tariffs by 18.5 percent, removing a previously Commission approved surcharge on its tariffs between Billings, Bozeman, Helena, Great Falls, and Missoula, and to increase its tariffs by 5.4 percent to cover the costs of hydro testing requirements for its pipeline between Billings and Alkali Creek Junction, Bozeman, Helena, Great Falls, and Missoula:

Commissioner Schneider moved to approve Yellowstone Pipeline Company's request to remove the surcharge and decrease rates by 18.5 percent and approve a 5.4 percent increase to cover hydro testing requirements. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Scott Fabel
Utility Division

(272) In the matter of Southern Montana Telephone Company's June 9, 2005 filed revision to its tariffs for Tribal Lifeline- Docket No. N2005.6.99:

Commissioner Raney moved to approve SMTC's tariff revisions in Docket No. N2005.6.99. Commissioner Mood seconded the motion, which passed unanimously.

(273) In the matter of CenturyTel June 14, 2005 filed Tariff Transmittal 05-02 to add rates to the Emergency Communications Services section of the tariffs- Docket No. N2005.6.100:

Commissioner Schneider moved to approve CenturyTel's Tariff Transmittal 05-02 in Docket No. N2005.6.100. Commissioner Mood seconded the motion, which passed unanimously.

(274) In the matter of Qwest June 17, 2005 filed Tariff Transmittal 05-13 Introduction of Public Response Calling Service (PRCS). This service will be provided to new customers who incur a high volume of traffic over the network that could result in possible interference with the service of other customers:

Commissioner Raney moved to approve Qwest's Tariff Transmittal 05-13 in Docket No. N2005.6.102. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(275) In the matter of Thomas P. McGree, Butte, Montana request for permission to continue the lease of PSC No. 2530 to Tucker Transportation, Inc., Butte, Montana for a one year period, June 14, 2005 to June 14, 2006- Docket No. TN2266:

Commissioner Raney moved to approve the continued lease of PSC No. 2530, as requested. Commissioner Schneider seconded the motion, which passed unanimously.

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

Commissioner Mood moved to approve the Commission Minutes for the week of July 4, 2005. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Tina Shorten, Utility Division

(277) In the matter of the Commission's discussion of CLEC Forum- Docket No. D2004.8.133:

Commissioner Mood moved to approve the preliminary report as final in Docket No. D2004.8.133 with the additional indicated language in issue 1. Commissioner Schneider seconded the motion, which passed unanimously.

Commissioner Schneider moved to issue a notice for the 2005 CLEC forum and authorize staff to schedule proceedings. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Will Rosquist, Utility Division
Martin Jacobson, Legal Division

(278) In the matter of the Commission's discussion of NorthWestern Energy's annual qualifying facility avoided cost compliance in Dockets D2003.7.86, D2004.6.96, and D2004.6.103:

Commissioner Schneider moved to consolidate the Dockets in D2003.7.86, D2004.6.96, and D2005.6.103, and approve the interim rates as filed in D2005.6.103. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Legal Division
Kim Moran, Utility Division

(279) In the matter of the Commission's discussion of Energy West Montana general rate case-Docket No. D2004.3.46:

Commissioner Schneider moved that staff be directed to convene a compliance review with the parties in Docket No. D2004.3.46 within 20 days to review compliance with the terms of the stipulation. Commissioner Jergeson seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Administrator
Legal Division

(280) In the matter of the Commission's discussion of the June 10, 2005 Court decision in Qwest v. PSC on section 252 (telecom act) filing requirement:

Commissioner Schneider moved to reconsider the action in the decision whether or not to appeal, that we petition the court for an extension of time for an appeal, and that we notice the petition from Qwest for declaratory ruling and motion for reconsideration. Commissioner Raney seconded the motion, which passed unanimously.

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

GREG JERGESON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)