

Service Date: March 22, 1979

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

\*\*\*\*

IN THE MATTER of the Application )  
of the CITY OF LIVINGSTON for au- ) DOCKET NO. 6616  
thority to increase rates for )  
sewer service. ) AMENDED ORDER NO. 4479b  
\_\_\_\_\_ )

APPEARANCES

FOR THE APPLICANT:

ROBERT L. JOVICK, Attorney at Law, 108 West Callender Street,  
Livingston, Montana 59047

FOR THE PROTESTANTS:

GEOFFREY L. BRAZIER, Montana Consumer Counsel, 34 West Sixth  
Avenue, Helena, Montana 59601

FOR THE COMMISSION:

ROBERT F. W. SMITH, Staff Attorney JAMES P. DWYER, Rate  
Analyst

BEFORE:

JAMES R. SHEA, Commissioner, Presiding Officer  
GEORGE TURMAN, Commissioner  
THOMAS J. SCHNEIDER, Commissioner

FINDINGS OF FACT

1). The City of Livingston (Applicant) filed an application  
for sewer rate increase which included the following items,  
(b), (c) and (d):

(b) The monthly charge shall be computed on an average  
consumption basis, to be figured by adding the total  
preceding months of December, January, and February

and dividing such total by 3.

(c) Where a domestic service connection does not have installed a water meter to measure only water consumed by that connection, then the monthly charge in Subsection (a) shall not apply and a charge of \$4.32 per month shall be made for such connection.

(d) If any domestic, commercial, or industrial service is provided to a residence, building, mobile home, or other structure located outside the city limits, an additional charge shall be made of fifty (50) percent of the charge imposed by Subsections (a) and (c) of this Section.

2). These items were properly noticed in the Notice of Public Hearing, dated November 6, 1978.

3). No testimony, for or against these items, was presented by the Applicant nor the protestant, Montana Consumer Counsel.

#### CONCLUSIONS OF LAW

1). The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2). The Commission afforded all parties interest in this proceeding proper notice and an opportunity to participate.

3. The rates approved herein are reasonable, just and proper.

#### ORDER

IT IS ORDERED by the Commission that the City of Livingston is authorized to implement the following rates in addition to those authorized in Order No. 4479a:

(b) The monthly charge shall be computed on an average consumption basis, to be figured by adding the total preceding months of December, January and February and dividing such total by 3.

(c) Where a domestic service connection does not have installed a water meter to measure only water consumed by that connection, then the monthly charge in Subsection (a) shall not apply and a charge of \$3.44 per month shall be made for such connection.

(d) If any domestic, commercial, or industrial service is provided to a residence, building, mobile home, or other structure located outside the city limits, an additional charge shall be made of fifty (50) per cent of the charge imposed by Subsections (a) and (c) of this Section. The actual charge for this section shall be as follows:

<u>Water Use</u>	<u>Sewer Charge</u>
0 to 3,000 gallons	\$5.16
Next 27,000 gallons	.57/1000 gallons
Next 70,000 gallons	.23/1000 gallons
All over 100,000 gallons	.057/1000 gallons

Note: All references to section (a) refer to the rates authorized in Order No. 4479a

IT IS FURTHER ORDERED that Order No. 4479a page eight, line nine the words water rates be amended to read sewer rates.

DONE IN OPEN SESSION at Helena, Montana this 19th day of

March, 1979 by a 4 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

---

Gordon E. Bollinger, Chairman

---

Clyde Jarvis, Commissioner

---

James R. Shea, Commissioner

---

George Turman, Commissioner

ATTEST:

Madeline L. Cottrill  
Secretary

( SEAL )

NOTICE: You are entitled to judicial review of the final decision in this matter. If no Motion for Reconsideration is filed, judicial review may be obtained by filing a petition for review within thirty (30) days from the service of this order. If a Motion for Reconsideration is filed, a Commission order is final for purpose of appeal upon the entry of a ruling on that motion, or upon the passage of ten (10) days following the filing of that motion. cf. the Montana Administrative Procedure Act, esp. Sec. 2-4-702, MCA; and Commission Rules of Practice and Procedure, esp 38-2.2(64)-P2750, ARM.