

Service Date: June 4, 1979

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

FINAL ORDER

In the Matter of the Application	)	DOCKET NO. 6623
of the Town of Melstone for auth-	)	
ority to increase rates for sewer	)	ORDER NO. 4503b
service.	)	

APPEARANCES

FOR THE APPLICANT:

Clara Mae Spek, Town Clerk-Treasurer, Town of Melstone, Montana 59054

FOR THE COMMISSION:

Eileen E. Shore, Commission Counsel

BEFORE:

Thomas J. Schneider, Commissioner and Hearing Examiner

APPLICATION AND PROCEEDINGS

- 1) On October 24, 1978, the Town of Melstone (Applicant) filed a petition, with the Montana Public Service Commission (PSC) for an order authorizing the applicant to increase its sewer rates to offset the rising costs of operations and to defray the cost of upgrading the system.
- 2) On December 8, 1978, a Notice of Proposed Public Hearing in Docket No. 6623 was published in several area media outlets.
- 3) On January 2, 1979, a protest and request for public hearing was received by the PSC from the Montana Consumer Counsel (MCC).
- 4) A notice of Public Hearing, which set this matter for hearing at 10:00 a.m. on Thursday, February 15, 1979, in the Town of Melstone Fire Hall, was published in the January

17, 1979 edition of the Roundup Record-Tribune and the January 22, 1979 edition of the Billings Gazette.

- 5) On February 2, 1979, the PSC staff issued Data Requests to the applicants.
- 6) On February 13, 1979, the PSC received the applicant's reply to the staff's data request.
- 7) Accordingly this matter came on to be heard at 10:00 a.m. Thursday, February 15, 1979, in the Town of Melstone Fire Hall.
- 8) The hearing was conducted under the Commission's procedural rules for contested cases as contained in the Administrative Rules of Montana.

The Commission having taken the evidence and heard the parties and being fully advised in the premises makes the following Findings of Fact, Conclusions of Law, and Order.

#### FINDINGS OF FACT

- 1) The applicant requested rate relief approximately equivalent to a \$690 annual increase in rates.
- 2) Witness Spek testified that the salaries expense was allocated one-third to water and one-sixth to sewer. Since the total salaries expense is \$850 per month the allocation to the sewer department is found to be \$1,695 on an annual basis.
- 3) The following Test Year is comprised of witness testimony and analyzation of the financial amounts accompanying the application (Exhibit A) which advances this Test Year:

Revenues:

Receipts	\$1,686
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Expenses:

Disbursements	<u>2,132</u>
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Net Deficit	<u>\$ 446</u>
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- 4) In order to alleviate this revenue deficiency, the Commission finds that the applicant must be allowed to raise its rates by 26.4% or  $\frac{\$ 446}{\$1,686} = 26.4\%$

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 interested in this proceeding proper notice and an opportunity to participate.
- 3) The rates approved herein are reasonable, just, and proper.

ORDER

NOW THEREFORE, at a session of the Public Service Commission Department of Public Service Regulation of the State of Montana held in its offices at 1227 11th Avenue, Helena, Montana on the 29th day of May, 1979, there being present a quorum of Commissioners, there came regularly before the Commission for action the matters and things in Docket No. 6623 and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the Town of Melstone is authorized to increase its sewer rates as follows:

All Sewer Users	\$2.00 per month
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IT IS FURTHER ORDERED that these shall be effective for all sewer services rendered on an after June 1, 1979.

IT IS FURTHER ORDERED that the Applicant is required to file a certification of compliance to the Federal Anti-Inflation Guidelines and Tax Modifications.

DONE in open session by a vote of 5 - 0, on May 29, 1979.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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GORDON E. BOLLINGER, Chairman

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CLYDE JARVIS, Commissioner

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THOMAS J. SCHNEIDER, Commissioner

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JAMES R. SHEA, Commissioner

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GEORGE TURMAN, Commissioner

ATTEST:

Madeline L. Cottrill  
Commission Secretary

(SEAL)

NOTE: 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.