

Service Date: April 1, 1980

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

In the Matter of the Application ) DOCKET NO. 6632  
of the TOWN OF CHESTER for an order) )  
authorizing an increase in sewer ) DEFAULT ORDER NO. 4481b  
rates. )

On November 29, 1978, the TOWN OF CHESTER (Applicant) filed a petition with the Commission to increase sewer rates under 82-4209, RCM 1947 pursuant to jurisdiction granted by 70-101, et seq., RCM 1947 and interpretation by the Montana Supreme Court of 11-1001 (1) RCM 1947 in Cause No. 14145 and to the requirements of Article II, Sections 8 and 9 of the Montana Constitution for an order authorizing Applicant to increase its sewer rates for additional revenue to finance its share (\$25,000.00) of a proposed additional sewer treatment cell required by the Environmental Protection Agency and to offset the rising costs of operations.

FINDINGS OF FACT

1. On February 26, 1980 Default Order No. 4481a was issued in Docket No. 6632. This order granted the applicants a residential unit charge of \$4.28 per month. The metered commercial establishments were to reflect no change.

2. On March 6, 1980 the town attorney submitted a request for reconsideration of Default Order No. 4481a on the grounds that the rates ordered effective would not generate sufficient income, in a timely manner, to meet the Towns financial obligations of \$3,500.00.

3. The Applicant states it is necessary to generate \$3,500.00 by September, 1980 to pay its portion of consultant fees incurred under an EPA grant covering Step I project costs.

4. The Applicant proposes that present rates for residential users be increased by \$1.00 per month to a total present charge of \$5.00 per month.

5. The Commission finds that in order to generate approximately \$3,500.00 by increasing rates to residential users by \$1.00 per month the following calculation be made:

$$\frac{\text{Present request}}{\text{Residential users}} = \frac{\$3,500}{373} = 9.38 \text{ months}$$

Therefore, the \$1.00 per month increase requested in the reconsideration motion shall be in effect for a period of nine (9) months.

#### CONCLUSIONS OF LAW

1. The Applicant is a municipal sewer utility subject to the regulatory jurisdiction of this Commission according to Section 11-1001 (1) RCM 1947 as interpreted by the Montana Supreme Court Case No. 14145.

2. The Commission concludes that the rates requested in the motion for reconsideration are reasonable and just and should be granted as hereafter ordered.

ORDER

1. The Applicant shall file rates schedules reflecting a residential unit charge of \$5.00 per month. The metered commercial establishment shall reflect no change.

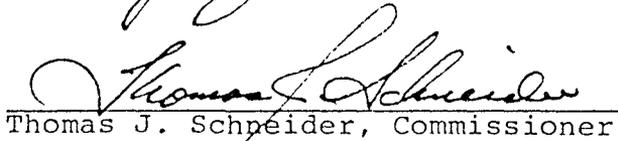
2. The rates shall be effective for all sewer services rendered on and after April 1, 1980, and continue in effect for nine (9) months.

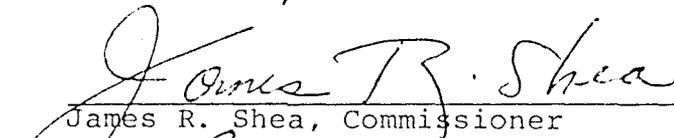
DONE IN OPEN SESSION in Helena, Montana on March 31, 1980,  
by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

  
Gordon E. Bollinger, Chairman

  
Clyde Jarvis, Commissioner

  
Thomas J. Schneider, Commissioner

  
James R. Shea, Commissioner

  
George Turman, Commissioner

ATTEST:

  
Madeline L. Cottrill  
Secretary

(SEAL)

NOTE: You may be 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.