

Service Date March 17, 1980

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

IN THE MATTER of the Application) DOCKET NO. 6804
of the CITY OF LIVINGSTON to)
Increase Sewer Rates.) INTERIM ORDER NO. 4623

FINDINGS OF FACT

1. On February 5, 1980, a public hearing was held in Livingston, Montana on the City's request to increase rates for sewer service in Docket No. 6772.
2. The Applicant's computation of annual revenue requirement for Step I of the proposed secondary wastewater treatment plant did not include a sum of \$32,709 for a 25 percent coverage factor required for the bond issue due to an arithmetic error.
3. On March 7, 1980, the Applicant filed a Motion for Temporary Increase in the amount of \$32,709, for Step I.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over parties and the subject matter in this proceeding.
2. The Commission may, in its discretion, temporarily approve increases pending a hearing or final action. If the final action is to disapprove the increase, the Commission shall order a rebate to all consumers for the amount collected retroactive to the date of the temporary approval,
69-3-304, MCA.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

CLYDE JARVIS, 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 the 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 the 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.