

Service Date: May 28, 1980

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

In the Matter of the Application of )  
MONTANA-DAKOTA UTILITIES CO.)  
for Authorization for Issuance of )  
Securities. )

DOCKET NO. 30.4.11  
DEFAULT ORDER NO. 4649

On April 24, 1980, MONTANA-DAKOTA UTILITIES CO. (Applicant), a corporation organized and existing under and by virtue of the laws of the State of Delaware, and qualified to transact business in Montana, filed with the Montana Public Service Commission its verified Application, pursuant to Title 69, Chapter 3, Part 5, MCA, requesting an order authorizing the security transactions proposed in the Petition. For detailed information with respect to the general character of Applicant's business and the territory served by it, reference is made to its annual report on file with the Commission. Notice of the Application was given and no objections or requests for hearing were received.

At a regular open session of the Montana Public Service Commission, held at its offices on May 27, 1980, there came before the Commission for final action the matters in this docket and the Commission, having fully considered the application and all data and records pertaining thereto on file with the Commission and being fully advised in the premises, makes the following:

FINDINGS OF FACT

1. Applicant is a corporation organized and existing under and by virtue of the laws of the State of Delaware and is qualified to transact business in the State of Montana.

2. Applicant is a public utility as defined in 69-3-101, MCA, and is engaged in furnishing electric and gas service in Montana.

3. The Commission has jurisdiction over the subject matter of the application under Title 69, Chapter 3, Part 5, MCA.

4. Public notice of the filing of application and opportunity for a public hearing was published in the May 1, 1980 editions of the Fallon County Times and Glasgow Courier; the May 2, 1980 editions of the Miles City Star and Billings Gazette; the May 4, 1980 edition of the Ranger Review; the May 5, 1980 edition of the Sidney Herald; the May 7, 1980 editions of the Hardin Herald and Plentywood Herald.

5. The securities proposed to be issued are not to exceed 1,000,000 shares of Common Stock, par value \$10. At present Applicant is authorized to issue 10,000,000 shares of Common Stock, par value \$10. Petitioner has issued and outstanding as of the date of the Petition herein 6,329,048 shares of Common Stock, par value \$10.

6. The proceeds from the issuance and sale of the Common Stock will be used to partially repay short-term borrowings incurred to finance Petitioner's 1980 utility capital requirements.

7. The transactions proposed by Applicant (1) are consistent with the public interest, (2) are for a purpose or purposes permitted under the laws of the State of Montana; and (3) will not result in a situation in which the aggregate amount of the securities outstanding and proposed herein to be

outstanding will exceed the fair value of the properties and business of the Applicant.

CONCLUSION OF LAW

The securities transaction proposed by Applicant, as herein authorized, will be for a lawful purpose and is consistent with the public interest; the same is necessary, appropriate and consistent with the proper performance of Applicant of service as a public utility; the aggregate amount of securities outstanding and proposed to be outstanding will not exceed the fair value of the properties and business of the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission of the State of Montana, held in its offices at 1227 11th Avenue, Helena, Montana, on May 27, 1960, there regularly came before the Commission for final action the Application and Petition for the issuance and sale of not to exceed 1,000,000 shares of Common Stock, par value \$10, and assigned Docket No. 80.4.11, and the Commission being fully advised in the premises;

IT IS HEREBY ORDERED that the Application of Montana-Dakota Utilities Co. for authority to issue and sell not to exceed 1,000,000 shares of Common Stock, par value \$10, is hereby approved and authority is granted. Such issuance and sale may be accomplished by a negotiated sale or competitive bidding.

The approval of this security issue shall not be construed as precedent to prejudice any future action of this Commission with regard to any other security issue.

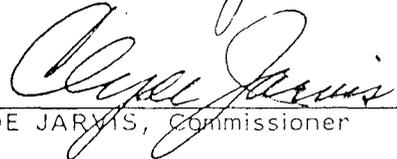
Neither the issuance of securities by Montana-Dakota Utilities Co. pursuant to the provisions of this Order nor any other act or deed done or performed in connection therewith shall be construed to obligate the State of Montana to pay or guarantee in any manner whatsoever any security authorized, issued, assumed or guaranteed hereunder.

Issuance of this Order does not constitute acceptance of Applicant's exhibits or other material accompanying the application for any purpose other than the issuance of this Order.

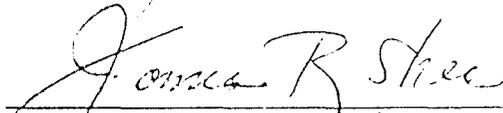
DONE IN OPEN SESSION at Helena, Montana this 27th day of May, 1980  
by a 5-0 vote.

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.