

Service Date: February 25, 1981

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

IN THE MATTER of the Application of) UTILITY DIVISION
the TOWN OF PHILIPSBURG To Increase) DOCKET NO. 80.7.57
Water Rates, Amend General Rules) ORDER NO. 4752
and Special Rules.)

APPEARANCES

FOR THE APPLICANT:

Alan Bradshaw, Town Attorney, Philipsburg, Montana 59858.

FOR THE INTERVENORS:

James C. Paine, Montana Consumer Counsel, 34 West 6th Avenue,
Helena Montana 59620.

FOR THE COMMISSION:

Robert F. W. Smith, Staff Attorney, 1227 11th Avenue, Helena,
Montana 59620.

BEFORE:

JOHN B. DRISCOLL, Commissioner

CLYDE JARVIS, Commissioner

THOMAS J. SCHNEIDER, Commissioner

The Commission, having taken evidence and being fully advised
in the premises, makes the following findings, conclusions
and order:

FINDINGS OF FACT

1. On July 30, 1980 the TOWN OF PHILIPSBURG (Applicant or
Town) filed an application with this Commission for authority
to increase water rates and for authority to amend its
general and special rules. The Applicant requested an average
increase of approximately 51% which would result in an
increase of approximately \$18,100 in annual revenue.

2. On January 13, 1981, at 10:00 a.m. pursuant to notice of
public hearing, a hearing was held in the Granite County

Courthouse, Philipsburg, Montana. The purpose of the public hearing was to consider the merits of the Applicant's proposed water rate adjustment.

3. The Applicant's case was presented by Virginia Yardley, acting Town Clerk and Treasurer of the Town of Philipsburg. Ms. Yardley described the current system and outlined the reasons for the proposed rate increase. She stated that the Town's proposed increase in rates is necessary to cover increased costs of operation due to inflation, that needs to hire one new employee to do the testing required by the Montana Department of Health and Environmental Sciences, and to provide revenues in the amount of approximately \$2,500 annually for recurring annual capital improvements.

4. A protest and request for public hearing was received by this Commission relative to the proposed increase in water rates. This is the reason a public hearing was scheduled in this matter; however, at the hearing there were no consumers present to oppose the proposed increase.

5. The Commission finds the expenses testified to by the Applicant's witness to be necessary and reasonable.

6. Examination of the proposed amendments to the water utility's general and special rules indicates that they are consistent with this Commission's rules with the exception of Rule C-2; this rule contained a tapping charge which the Town subsequently withdrew.

CONCLUSIONS OF LAW

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

Docket.

2. The Commission gave all interested parties notice and an opportunity to participate in this matter.

3. The rates approved herein are reasonable and just.

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 17th day of February, 1981, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. 80.7.57, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the rates filed with this application by the Town of Philipsburg are APPROVED.

IT IS FURTHER ORDERED that these rates are effective for services rendered on and after February 17th, 1981.

IT IS FURTHER ORDERED that the amended rules for the water utility filed with this application are APPROVED.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith to the Applicant and to all other appearances herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 17th day

of February, 1981, by a vote of 3-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

JOHN B. DRISCOLL, Commissioner

CLYDE JARVIS, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Madeline L. Cottrill
Commission 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. 38.2.4806 ARM.