

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

IN THE MATTER OF THE APPLICATION)	
OF THE MONTANA POWER COMPANY FOR)	DOCKET NO. 81.10.97
AUTHORITY TO GUARANTEE NOT TO)	
EXCEED U.S.\$75,000,000 OF EURO-)	
DOLLAR DEBENTURES TO BE ISSUED BY)	ORDER NO. 4862
MONTANA POWER INTERNATIONAL FINANCE)	
N.V., THE PROCEEDS OF WHICH ARE TO)	
BE LOANED TO THE APPLICANT HEREIN.)	
_____)	

On October 28, 1981, The Montana Power Company ("Applicant") filed with this Commission a verified application pursuant to Sections 69-3-501 to 69-3-507 of the Montana Code Annotated (MCA) requesting an Order authorizing the Applicant to guarantee the payment of principal, premium, if any, and interest on not to exceed U.S. \$75,000,000 of debentures to be issued and sold by Montana Power International Finance N.V. ("Finance") outside the United States of America, the proceeds of which are to be loaned by Finance to the Applicant.

Having fully considered the application and all the data, information and records pertaining thereto on file with the Commission and being fully advised in the premises, the Commission 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 Montana and is qualified to transact business in the State of Montana.
2. Applicant is operating as a public utility, as defined in MCA Section 69-3-101, and is engaged in furnishing utility service in the State of Montana.
3. Finance is a corporation organized and existing under and by virtue of the laws of the Netherlands Antilles, and is a wholly-owned subsidiary of the Applicant.

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4. This Commission has jurisdiction over the subject matter of the application under MCA Sections 69-3-501 through 69-3-507.

5. Pursuant to MCA Section 69-3-504, notice of the filing of the application has been given by legal publication in daily newspapers of general circulation within Applicant's service area and the opportunity was given to request a hearing by November 20, 1981.

6. No requests for hearing were received by the Commission.

7. Due consideration has been given to the matters presented and filed in connection herewith and that the application should be approved as hereinafter ordered.

8. The guarantee of the payment of principal, premium, if any, and interest on not to exceed U.S. \$75,000,000 of debentures to be issued and sold by Finance and the loan of the proceeds thereof by Finance to the Applicant, as proposed by Applicant and as hereinafter authorized, will be for a lawful purpose and is consistent with the public interest; that such sale is appropriate for and consistent with the proper performance by Applicant of service as a public utility; and that the aggregate amount of the securities outstanding and proposed to be outstanding will not exceed the fair value of the properties and business of Applicant.

CONCLUSION OF LAW

That the application herein complies with MCA Sections 69-3-501 through 69-3-507 and other laws of Montana as aforesaid and the same should be granted as hereinafter ordered.

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 November 23, 1981, there being present Chairman Gordon E. Bollinger, Commissioners Clyde Jarvis, Thomas 3. Schneider, John B. Driscoll and Howard L. Ellis, there regularly came before the Commission for final action the matters and things in this docket, and the Commission being fully advised in the premises:

IT IS ORDERED that the application of The Montana Power Company in this docket for an Order authorizing its guarantee of the payment of principal, premium, if any, and interest on not to exceed U.S. \$75,000,000 of debentures to be issued by Finance outside the United States of America and the loan of the proceeds thereof by Finance to the Applicant, as set forth in the application in this proceedings, is hereby approved and the same are hereby authorized subject to the provisions of this Order pursuant to MCA Sections 69-3-501 through 69-3-507.

DONE IN OPEN SESSION at Helena, Montana, on November 23, 1981, by a 5 - 0 vote.

ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

GORDON E. BOLLINGER, Chairman

JOHN B. DRISCOLL, Commissioner

HOWARD L. ELLIS, 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.