

Service Date: January 5, 1982

BEFORE THE UTILITY DIVISION  
DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION

IN THE MATTER of the Application )  
of the Montana Power Company For ) DOCKET NO. 81.12.110  
Authority to Make Short-Term ) DEFAULT ORDER NO.4874  
Borrowings in Calendar Year 1982.)  

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On December 14, 1981, the MONTANA POWER COMPANY (Applicant) filed with this Commission a verified Application requesting authority to issue, assume or guarantee short-term securities (in the form of promissory notes to banks, commercial paper, term loans, or by such other means as may be deemed advisable) in an amount which, including short-term notes now outstanding, will not, in the aggregate, exceed \$160,000,000 at any one time outstanding during the period from January 1, 1982 to December 31, 1982.

At a session of the Public Service Commission of the State of Montana, held in its offices at 1227 11th Avenue, Helena, Montana, on December 28, 1981, there regularly came before the Commission for final action the request in this Docket and the Commission being fully advised in the premises makes the following:

FINDINGS OF FACT

1. The Applicant is a corporation organized and existing under the Laws of Montana and is qualified to transact business in Montana.
2. Applicant is engaged in electric and natural gas operations and, as such, is a public utility as defined in Section 69 -3 -101, MCA.

3. The Commission has jurisdiction over the subject matter of this Application, under Sections 69-3-501 through 69-3-507, MCA, inclusive, in that the short-term borrowings and the securities proposed to be issued by Applicant will, in the aggregate, exceed five percent (5%) of the fair market value and/or par value of Applicant's other securities outstanding.

4. Public notice of the Application was given by inclusion of the Application on the Commission's agenda for December 21, 1981 and no requests for a public hearing were received by December 28, 1981

5. The proceeds from the short-term borrowings, together with internally-generated funds, will be used to meet the cash requirements of current business transactions, pending issuance of long-term securities. These business requirements consist of the temporary financing of the acquisition of property, the construction and improvement of facilities, the maintenance of service, and discharge and lawful refunding of obligations and other lawful purposes of Applicant.

6. The securities to be issued, assumed or guaranteed by the Applicant shall be in the form of unsecured obligations in varying denominations, principally in the following forms: (1) notes payable to commercial banks; (2) commercial paper; (3) term loans with commercial banks and others; and (4) such other forms of short-term borrowings as may be deemed advisable by Applicant.

7 . Arrangements will be made for bank loans to be evidenced by promissory notes with commercial banks or others. Commercial paper will be issued as bearer notes for varying periods of less than one

year in duration. Term loans with commercial banks or others and short-term borrowing arrangements will be made on such conditions as may be deemed advisable at the time of issuance. Expenses in connection with the making of such short-term borrowings have been estimated at \$5,000.

8. Applicant plans to issue long-term securities, the proceeds of which will be used to retire the short-term borrowings made or to be made under this Application. The type, amount, timing and method of sale of such securities has not yet been fully determined.

9. Applicant furnished complete financial and statistical data with its Application, in accordance with developed practice of the Commission. The Application sets forth an opinion of counsel which addresses the legality of the proposed short-term borrowings, and a certified copy of the appropriate corporate resolution pertaining thereto.

CONCLUSION OF LAW

The securities transactions proposed by the Applicant, as hereinafter authorized, will be for a lawful purpose and are consistent with the public interest; that same are necessary or 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 the Applicant.

ORDER

The Application of The Montana Power Company for authority to make short-term borrowings in the amount which, together with the notes now outstanding, will not, in the aggregate principal amount, exceed \$160,000,000 outstanding at any one time during the period from and including January 1, 1981 through and including December 31, 1982, and in the manner as set forth above and in the Application, the short-term borrowings to be evidenced by promissory notes with commercial banks or others, by bearer notes for the issuance of commercial paper, and by term loans with commercial banks or others, and by such other borrowing arrangements, which shall be on the most favorable terms The Montana Power Company can negotiate depending on the varying borrowing conditions from time to time, be, and the same are approved.

In accordance with Section 69-3-507, MCA, neither the issuance of securities by Applicant 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 mean acceptance of the Applicant's exhibits or other material accompanying the Application for any other purpose other than the issuance of this Order.

DOCKET NO. 81.12.110, DEFAULT ORDER NO. 4874

DONE IN OPEN SESSION at Helena, Montana this 21<sup>st</sup> day of  
December 1981, by a 4 to 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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GORDON E. BOLLINGER, Chairman

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HOWARD L. ELLIS, Commissioner

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CLYDE JARVIS, Commissioner

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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 (30) thirty 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.