

Service Date: January 9, 1992

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

* * * * *

IN THE MATTER of Liberty County)	UTILITY DIVISION
Montana, Town of Chester, Montana)	
and MRR,)	
)	
Complainants,)	
)	DOCKET NO. 82.10.65
vs.)	
)	
Montana Power Company,)	ORDER NO. 5595
)	
Defendant.)	

ORDER DISMISSING COMPLAINT AND CLOSING DOCKET

BACKGROUND

On September 27, 1982 the Montana Public Service Commission (Commission) received a complaint from the Town of Chester and MRR partnership against Montana Power Company (MPC). Complainants were attempting to develop a hydroelectric project at the Tiber Dam on Marias River in Liberty County, Montana and had been negotiating with MPC for a contract for the sale of power.

Negotiations broke down, and Complainants requested a hearing date to present evidence to show that MPC should enter into a contract with a Long Term Pricing Formula.

Upon request that the Commission take no action until further notice, the Commission put the matter on hold.

FINDINGS OF FACT

The Commission finds that Complainants have pursued no action. Therefore, the Commission finds that the matter was resolved satisfactorily and this complaint should be dismissed.

CONCLUSIONS OF LAW

The Commission exercises jurisdiction over purchase power contracts between small power production facilities and public utilities pursuant to §§ 69-3-601 et seq., MCA.

Upon petition of a qualifying small power production facility the Commission shall determine rates and conditions of a contract for sale of electricity to a utility under the Commission's jurisdiction. §§ 69-3-603 and 69-3-604, MCA.

ORDER

WHEREFORE, the Commission hereby orders that the Complaint shall be dismissed and this Docket shall be closed.

Done and Dated this 6th day of January, 1992 by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

HOWARD L. ELLIS, Chairman

DANNY OBERG, Vice Chairman

BOB ANDERSON, Commissioner

JOHN B. DRISCOLL, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

ATTEST:

Ann Peck
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See ARM 38.2.4806.