

Service Date: May 21, 1985

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

IN THE MATTER Of The Application )UTILITY DIVISION  
Of The City of Wolf Point to )DOCKET NO. 84.6.32  
Increase Rates and Charges For )ORDER NO. 5140  
Water Service )

APPEARANCES

FOR THE APPLICANT:

Jerry Schuster  
City Attorney  
City of Wolf Point  
Wolf Point, MT 59201

FOR THE INTERVENORS:

John Allen  
Staff Attorney  
Montana Consumer Counsel  
34 West Sixth Avenue  
Helena, MT 59620

FOR THE COMMISSION:

Opal Winebrenner  
Staff Attorney  
2701 Prospect Avenue  
Helena, MT 59620

BEFORE:

Danny Oberg, Commissioner and Hearing Examiner

BACKGROUND

1. On June 13, 1984, the City of Wolf Point (Applicant or City) filed an application with this Commission for authority to increase water rates and charges in its Wolf Point, Montana service area. The Applicant requested that the Commission approve rates that would increase annual revenues

by approximately \$57,000.

2. A public hearing on this matter was scheduled to commence on January 16, 1985 in Wolf Point, Montana. At the request of the City this hearing date was canceled and the Commission issued a "Notice of Postponement of Hearing:", indicating that the matter would be scheduled for hearing at a later date. At the same time the City filed its request for cancellation of this hearing date, it provided a waiver of its rights to implement the increased rates due to the passage of nine months from the date of filing (Section 69-3-302(2), MCA).

3. On March 6, 1985, pursuant to notice of public hearing, a hearing was held in the Production Credit Association, Basement Meeting Room, Wolf Point, Montana. The purpose of the public hearing was to consider the merits of the Applicant's proposed rate adjustment.

4. On May 13, 1985, the City filed a request with the Commission for authorization to withdraw its application for increased water rates and charges. The City in its request has indicated, that it is of the opinion, that sufficient revenues for operation of the water utility can be attained through implementation of a local level increase as provided for in Title 69, Chapter 7, MCA.

5. The Commission finds that the City's request to withdraw its application for increased rates and charges should be granted given the fact that the City is of the opinion that sufficient revenues for operation of the water utility can be generated through implementation of a local level increase.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties in this proceeding. Title 69, Chapters 3 and 7, MCA.

2. Allowing the withdrawal of the application will not cause the imposition of rates which are unreasonable, unjust or improper. Section 69-3-303, MCA.

ORDER

NOW THEREFORE, IT IS ORDERED THAT:

1. The City of Wolf Point is authorized to withdraw the rate application filed with this Commission on June 13, 1984.

2. This Commission's Docket No. 84.6.32 is hereby CLOSED.  
DONE IN OPEN SESSION AT Helena, Montana, this 20th day of May, 1985 by a vote of 4 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

---

Clyde Jarvis, Chairman

---

John B. Driscoll, Commissioner

---

Howard L. Ellis, Commissioner

---

Tom Monahan ,Commissioner

ATTEST:

Trenna Scoffield  
Commission Secretary

(SEAL)

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