

Service Date: July 17, 1985

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

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IN THE MATTER Of The application)	
Of SOMERS WATER COMPANY For)	UTILITY DIVISION
Authority To Transfer The Assets)	
And Operating Responsibilities Of)	DOCKET NO. 85.5.20
Somers Water Company To The Somers)	
Water District.)	DEFAULT ORDER NO. 5148

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FINDINGS OF FACT

1. On May 1, 1985, a petition was filed with Montana Public Service Commission requesting that the Commission, pursuant to jurisdiction established by 69-03-101 et seq. , MCA, authorize the transfer of the assets and operating responsibilities of the Somers Water Company to the newly formed Somers Water District. The Somers Water District proposes to continue water service to all consumers previously supplied by the Somers Water Company. Transfer of the assets will not in itself result in a rate increase, according to the Applicant's petition.

2. On May 31, 1985, the Commission issued a Notice of Opportunity for Public Hearing, which was sent to the Montana Consumer Counsel and was published in the Daily Interlake, Kalispell, Montana. The Notice gave interested parties until July 3, 1985 to request a hearing on the application. No such requests were received.

3. A review of the Application indicates no threat to the adequacy or availability of service to the utility's customers.

4. The proposed new owner appears to have the financial and other resources necessary to provide adequate service in the future.

CONCLUSIONS OF LAW

1. This Commission has jurisdiction over the parties and matters contained in this docket.

2. The application demonstrates that transfer of ownership will not result in inadequate service or unreasonable rates.

3. The proposed new owner is fit, willing and able to assume the service responsibilities associated with ownership of the water system now owned by Somers Water Company.

ORDER

IT IS HEREBY ORDERED BY THE PUBLIC SERVICE COMMISSION THAT:

1. The Somers Water Company is hereby authorized to transfer its assets and operating responsibilities to the Somers Water District.

2. Upon transfer, Somers Water District shall file tariffs in its name that are identical to those currently in effect for provision of service to consumers in Somers, Montana.

3. Upon transfer the Somers Water District is ordered to inform the Commission of the terms and conditions of the transfer, including whether the price paid reflects original cost depreciated.

DONE AND DATED this 15th day of July, 1985, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

Clyde Jarvis, Chairman

John B. Driscoll, Commissioner

Howard L. Ellis., Commissioner

Tom Monahan, Commissioner

Danny Oberg, Commissioner

ATTEST:

Trenna Scoffield
Commission Secretary

Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 28.2.4806, ARM.