

Service Date: August 18, 1987

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 )  
Williams Water Works for Authority ) UTILITY DIVISION  
to Increase Rates and Charges for ) DOCKET NO. 86.12.66  
Water Service in its Phillips Addi- ) ORDER NO. 5290  
tion of Flathead County, Montana. )

FINDINGS OF FACT

1. On December 8, 1986, Williams Water Works (Applicant) filed an application with this Commission for authority to increase water rates and charges for its Flathead County, Montana customers by approximately 33%, for an annual revenue increase of approximately \$2,352.
2. On July 7, 1987, this Commission issued a notice of public hearing. The hearing notice scheduled a hearing for August 6, 1987 in the Flathead Community Health Center, 723 5th Avenue East, Conference Room 1, Kalispell, Montana.
3. On July 31, 1987, this Commission received a letter from Vicki Hileman, the Applicant's accountant, requesting that the application of Williams Water Works for authority to increase water rates and charges be withdrawn. The letter also requested that the public hearing scheduled for August 6, 1987 be cancelled.
4. This Commission did not have ample time after receipt of the request for cancellation of public hearing to prepare and serve a notice of cancellation on the customers of

Williams Water

Works. Therefore, the Commission appeared at the scheduled hearing location to inform consumers that the request for increased rates had been withdrawn by the Applicant.

5. The Applicant of its own volition has requested that its application for increased rates be withdrawn, therefore, the Commission finds that the request to withdraw the application for increased rates should be granted.

#### CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties in this proceeding. Section 69-3-102, 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. Williams Water Works is authorized to withdraw the rate application filed with this Commission on December 8, 1986.

2. This Commission's Docket No. 86.12.66 is hereby CLOSED.

DONE IN OPEN SESSION at Helena, Montana, this 17th day of August, 1987 by a vote of 5 to 0.

DOCKET NO. 86.12.66 ORDER NO. 5290

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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CLYDE JARVIS, Chairman

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HOWARD L. ELLIS, Commissioner

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TOM MONAHAN, Commissioner

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DANNY OBERG, Commissioner

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JOHN B. DRISCOLL, Commissioner

ATTEST:

Ann Purcell  
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 38.2.4806, ARM.