

Service Date: February 28, 1989

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

* * * * *

IN THE MATTER of the Application of)	
the Town of Plevna for Authority)	UTILITY DIVISION
to Increase Rates and Charges for)	DOCKET NO. 87.9.55
Water Service in its Plevna, Montana)	ORDER NO. 5400
Service Area.)	

FINDINGS OF FACT

1. On September 15, 1987 the Town of Plevna (Applicant) filed an application with this Commission for authority to increase water rates and charges to its Plevna, Montana customers by approximately 97%, for an annual revenue increase of approximately \$8,520.

2. On May 25, 1987, the Town of Plevna, through its Town Clerk, filed with the Commission a waiver of the nine (9) month statutory requirement for final action on the pending rate increase application.

3. On January 24, 1989, this Commission received a letter from Vivian Panasuk, the Town Clerk, requesting that the Town's application for authority to increase water rates and charges be withdrawn. The letter indicated that the Town was delaying the construction of proposed capital improvements to its water system and, therefore, did not need the increase in water rates as filed with the Commission.

4. The Applicant of its own volition has requested that its application for increased rates be withdrawn, therefore, the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. The Town of Plevna is authorized to withdraw the rate application filed with this Commission on September 15, 1987.

2. This Commission's Docket No. 87.9.55 is hereby CLOSED.

DONE IN OPEN SESSION at Helena, Montana, this 27TH day of February, 1989 by a vote of 4 to 0

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Ann Purcell
Acting 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.