

Service Date: May 19, 1989

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) UTILITY DIVISION
of U S West Communications for) DOCKET NO. 89.5.12
Forbearance of Regulation Re: D.A.) ORDER NO. 5411
Davidson and Company.)

ORDER DEFERRING ACTION

FINDINGS OF FACT

On May 15, 1989 US West Communications (USWC) filed an application with the Montana Public Service Commission (PSC) requesting forbearance of rate regulation for intraLATA toll service to D.A. Davidson and Company pursuant to § 69-3-808, MCA.

A worksession on this matter has been scheduled for Friday, May 26, 1989 at 8:15 a.m. in the PSC Conference Room, 2701 Prospect Avenue, Helena Montana.

The 10 day period permitted by statute, for Commission action on such an application, would expire on May 25, 1989 unless action is deferred as provided by § 69-3-808(3), MCA.

The Commission considers it appropriate and necessary to defer action on this matter, to allow further time to consider its merits.

CONCLUSIONS OF LAW

1. USWC offers regulated telecommunications services in the state of Montana and is a public utility pursuant to, § 69-3-101, MCA. The Commission has authority to supervise, regulate and control public utilities. § 69-3-102, MCA.

2. The PSC shall defer action on USWC's application for forbearance for an additional 5 day period, and provided in § 69-3-808(3), MCA.

ORDER

1. The PSC's action on USWC's application for forbearance is hereby deferred for an additional 5 day period, until Tuesday, May 30, 1989.

2. The PSC intends to take action on this matter on or before said date.

Done and Dated this 19th day of May, 1989 by a vote of 3 - 0 .

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Commissioner

WALLACE W. "WALLY" MERCER, 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 ARM 38.2.4806.