

Service Date: February 13, 1990

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

\* \* \* \* \*

IN THE MATTER Of The Application	)	
Of Montana-Dakota Utilities	)	
Company, A Division Of MDU	)	UTILITY DIVISION
Resources Group, Inc., for	)	
Authority to Add a Returned Check	)	DOCKET NO. 90.1.12
Charge to Rate 117 and Modify the	)	
Late Payment Charge for Nonresi-	)	INTERIM ORDER NO. 5461
dential Customers Under Rate 135.	)	
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FINDINGS OF FACT

1. On January 11, 1990, Montana-Dakota Utilities (MDU or Company) filed tariff sheets requesting the Montana Public Service Commission (Commission or MPSC) approval to revise its "Rule Covering Charges for Utility Customer Service Rate 117" and "Rule Governing the Application of Late Payment Charge Rate 135" in its electricity tariffs.

2. MDU seeks to add a returned check charge of \$10.00 for each check charged back to the Company by a bank. This charge would be incorporated into MDU's Electric Rate 117. Additionally, MDU seeks to change its late payment charge (LPC) rules for nonresidential customers in order to apply an LPC to unpaid balances at the immediate subsequent billing date. The LPC is currently applied to unpaid balances outstanding at the second subsequent billing date for all MDU electric customers. This change would be made to MDU's Electric Rate 135.

3. MDU makes this filing so its electric tariffs will be consistent with its natural gas tariffs approved in Docket No. 88.11.53, Order No. 5399b.

4. On Monday, February 12, 1990, at Agenda Meeting No. 90-7, the Commission GRANTED interim approval of MDU's filing subject to further investigation in its next general electric rate case. In granting MDU's proposed tariffs, the Commission finds MDU must include in its next bills to its electric customers a bill insert explaining the added returned check charge and changes in its rule governing the application of a late payment charge. MDU must also explain that the returned check charge and changes in its LPC were sought in order to obtain consistency with the same provisions in its natural gas tariffs so that administration of such provisions is possible for combination natural gas and electric customers.

#### CONCLUSIONS OF LAW

1. Applicant Montana-Dakota Utilities Company (MDU) is a public utility furnishing natural gas and electric service within the State of Montana and is subject to the supervision, regulation, and control of this Commission, pursuant to Title 69, Chapter 3 of the Montana Codes Annotated. Section 69-3-102, MCA.

2. MDU as a public utility is required to file schedules (tariffs) with the Commission which show all rates, tolls, and charges for any service it performs within the state or any

related service. Every public utility shall also file as a part of such schedule all rules affecting the rates charged. Section 69-3-301(1).

3. No change shall be made in any schedule except (a) as approved by the Commission; (b) upon the passage of 9 months of a rate application for increase; or, (c) by operation of Section 69-3-907(1) (regarding telecommunications). Section 69-3-302(1), MCA.

4. The Montana Public Service Commission has the power to grant and approve MDU's application to amend its rules to bring its electric tariffs into consistency with its natural gas tariffs approved in Docket No. 88.11.53, Order No. 5399b.

ORDER

THEREFORE, THE MONTANA PUBLIC SERVICE COMMISSION ORDERS THAT:

1. Applicant, Montana-Dakota Utilities Company, is hereby authorized to amend its rules in Electric Rates 117 and 135 to bring them into consistency with MDU's natural gas tariffs approved in Docket No. 88.11.53, Order No. 5399b.

2. MDU shall file its schedules in accordance with this Interim Order.

3. MDU's new rate schedules shall be addressed in the next general electric rate case and subject to a final order at the conclusion.

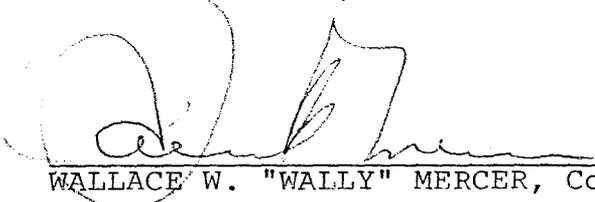
4. The interim relief granted is to be effective for service rendered on and after the approval date of this Interim Order.

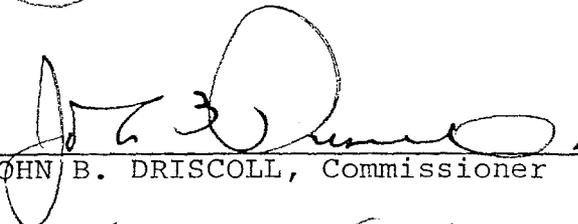
DONE AND DATED this 12th day of February, 1990, by a 4 - 1 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
CLYDE JARVIS, Chairman

  
\_\_\_\_\_  
HOWARD L. ELLIS, Commissioner

  
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WALLACE W. "WALLY" MERCER, Commissioner

  
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JOHN B. DRISCOLL, Commissioner

  
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DANNY OBERG, Commissioner  
Dissenting  
No Written Comment

ATTEST:

  
Laura Calkin  
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.