

Service Date: January 4, 1991

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

* * * * *

IN THE MATTER OF THE COMPLAINT OF)	
Cascade County, a political sub-)	
division of the State,)	UTILITY DIVISION
)	
Complainant,)	
)	DOCKET NO. 90.4.25
-vs-)	
)	
U.S. West Communications,)	ORDER NO. 5521
)	
Defendant.)	

ORDER DISMISSING COMPLAINT

FINDINGS

On March 29, 1990 Complainant Cascade County filed a complaint against Defendant U.S. West Communications (USWC) with the Montana Public Service Commission (PSC or Commission). USWC filed an answer thereto on May 2, 1990.

On June 22, 1990 USWC filed proposed changes to its 9-1-1 tariff, including introduction of Automatic Number Identification, repricing of the C feature package and other minor text changes. Certain minor changes were subsequently submitted (including deletion of liability limitation language). The PSC approved the filing, as revised, on December 3, 1990.

On October 31, 1990 Cascade County filed a Motion to Dismiss its Complaint on the grounds that 1) some of the issues raised in the Complaint have been resolved and 2) one of the issues will be addressed through proposed legislation.

CONCLUSIONS OF LAW

USWC is a public utility offering regulated telecommunications service in Montana. § 69-3-101, MCA. The Commission has the authority to supervise, regulate and control public utilities. § 69-3-102, MCA.

The Commission has the authority to proceed and make such investigation deemed appropriate upon a complaint made against any public utility. § 69-3-321, MCA.

The PSC has provided adequate public notice and opportunity to be heard herein. Montana Administrative Procedure Act.

ORDER

Based upon the Motion filed by the Complainant herein, the PSC hereby Orders that the Complaint herein be dismissed without prejudice.

Done and Dated this 2nd day of January, 1991, by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

HOWARD L. ELLIS, Chairman

DANNY OBERG, Vice Chairman

JOHN B. DRISCOLL, Commissioner

REX MANUEL, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

ATTEST:

Ann Peck
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.