

Service Date: December 31, 1992

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

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IN THE MATTER OF the Montana Public)	UTILITY DIVISION
Service Commission's Solicitation of)	
Comments and Suggestions Regarding)	DOCKET NO. 90.7.44
its Decision Making Process.)	ORDER NO. 5684

ORDER CLOSING DOCKET

1. On August 7, 1990, the Montana Public Service Commission (PSC) issued a Notice of Inquiry (inquiry), designated as Docket No. 90.7.44, identified as above-entitled, and commonly referred to as the "due process docket."

2. Comments were received from interested persons by October 18, 1990. A "round table" discussion for oral comments was held on March 18, 1991. The matter has essentially remained pending since that time.

3. On December 17, 1992, the PSC met, received staff analysis and comments, discussed and considered the matter, and made several preliminary determinations. On December 22, 1992, the PSC met, considered the matter further, and determined that the docket should be closed with the following findings and conclusions:

a. the information, comments, and suggestions submitted have been duly considered;

b. it does appear that there are aspects of the PSC's existing utility rate case procedure that have at least a potential for violating the due process rights of rate case participants or might simply be unfair to the participants;

c. changes to the PSC's procedure, to eliminate the potential for due process violations or unfairness, are necessary; and

d. the PSC will implement changes by an appropriate means, including practice, policy, procedural orders, or procedural rules, as the nature of the changes requires.

IT IS HEREBY ORDERED:

The inquiry in Docket No. 90.7.44 has served its purpose and the docket is closed.

Done and dated this 30th day of December, 1992, by a vote of 4-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DANNY OBERG, Chairman

WALLACE W. "WALLY" MERCER, Vice Chairman

BOB ANDERSON, Commissioner

JOHN B. DRISCOLL, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.