

Service Date: November 25, 1992

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

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IN THE MATTER OF MONTANA POWER)	UTILITY DIVISION
COMPANY, Complaint by DAVID C.)	
MOGAN, Concerning Power Bill and)	DOCKET NO. 92.8.36
Termination of Service (Harlem).)	ORDER NO. 5668

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE

In August, 1992 David C. Mogan (Mogan) filed a complaint before the Montana Public Service Commission (PSC) against Montana Power Company (MPC). The complaint concerns billing and termination of service at Mogan's Pioneer apartments in Harlem, Montana. A number of motions have been received from Mogan and MPC. These have been previously disposed of. MPC has answered the complaint. Mogan has replied to MPC's answer. In October, 1992 the PSC issued Final Order No. 5630a in PSC Docket No. 90.6.41. That docket concerned another complaint that Mogan had made against MPC.

Order No. 5630a requires Mogan to exhaust the PSC's informal complaint procedures before the PSC will consider a formal complaint. More importantly it states that where the PSC consumer representative recommends a reasonable resolution which prevents undue expense to all concerned, the PSC will dismiss any

complaint upon receipt of a statement of satisfaction by the utility demonstrating a willingness to comply with that resolution. MPC has filed a motion regarding dismissal of Mogan's complaint on the basis of Order No. 5630a.

On MPC's motion and on the PSC's own motion, Mogan's Complaint is DISMISSED, without prejudice, for purposes of implementing Order No. 5630a.

Done and Dated this 24th day of November, 1992 by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DANNY OBERG, Chairman

WALLACE W. "WALLY" MERCER, Vice Chairman

BOB ANDERSON, Commissioner

JOHN B. DRISCOLL, Commissioner

TED C. MACY, Commissioner

ATTEST:

Kathlene M. Anderson
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.