

Service Date: May 5, 1994

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

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III: THE MATTER Of The Application) UTILITY DIVISION
Of CUT BANK GAS COMPANY For) DOCKET NO. 93.10.46
Authority To Change Rates For) INTERIM ORDER NO. 5749a
For Natural Gas Service.)

FINDINGS OF FACT

1. CUT BANK GAS COMPANY (Applicant) applied to this Commission for an order authorizing an increase in the rates Applicant charges for natural gas service. The application sought authority to increase rates in order to reflect all costs resulting from rates granted The Montana Power Company (Company) in Docket No.93.6.24.

2. The Commission authorized Montana Power Company a natural gas rate increase in Docket No. 93.6.24 and issued Final Order 5709d.

3. Final Order No. 5709d will increase Applicant's cost of purchased gas.

CONCLUSIONS OF LAW

1. Applicant is a "public utility" within the meaning of Section 69-3-101, MCA.

2. The Montana Public Service Commission properly exercises jurisdiction over the Applicant's Montana operations pursuant to Title 69, Chapter 3, MCA.

3. Section 69-3-304, MCA, provides in part, "The Commission may, in its discretion, temporarily approve increases or decreases pending a hearing or final decision."

4. The rate levels and spread approved herein are reasonable. The rebate provisions of Section 69-3-304, MCA protect ratepayers in the event that any revenue authorized by this order are found to be unjustified in the final order in this Docket.

ORDER

1. Applicant is hereby granted interim relief reflecting Findings of Fact in this order.

2. Such relief is to become effective for services rendered on and after May 2, 1994, and remain in effect until such time as a final decision is reached in this matter.

3. The rates shall be collected upon a constant uniform cents per Mcf basis.

4. Interim revenues granted herein are subject to rebate should the final order in this Docket disapprove this interim revenue.

DONE IN OPEN SESSION at Helena, Montana this 2nd day of May, 1994 by a 3 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

Bob Anderson

BOB ANDERSON, Chairman

Bob Rowe

BOB ROWE, Vice Chairman

Dave Fisher

DAVE FISHER, Commissioner

ATTEST:

Kathlene M. Anderson

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 38.2.4806, ARM.