

Service Date: November 24, 1993

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

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IN THE MATTER Of The Application)	UTILITY DIVISION
Of SHELBY GAS ASSOCIATION For)	DOCKET NO. 93.11.60
Authority To Change Rates For)	INTERIM ORDER NO. 5765
Natural Gas Service.)	
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FINDINGS OF FACT

1. SHELBY GAS ASSOCIATION (Applicant) applied to this Commission for an order authorizing a decrease in the rates Applicant charges for natural gas service. The application sought authority to decrease rates in order to reflect all costs resulting from rates granted The Montana Power Company (Company) in Docket No. 93.11.54.

2. The Commission authorized Montana Power Company a natural gas rate decrease in Docket No. 93.11.54 and issued Interim Order No. 5761.

3. Interim Order No. 5861 will decrease 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 November 23, 1993, 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.

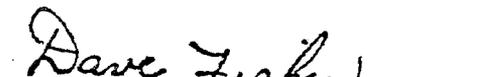
4. Interim revenues granted herein are subject to rebate should the final order in this Docket disapprove this interim revenue.

DONE IN OPEN SESSION at Helena, Montana this 23rd day of November by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION


BOB ANDERSON, Chairman


BOB ROWE, Vice Chairman


DAVE FISHER, Commissioner


NANCY MCCAFFREE, Commissioner


DANNY OBERG, Commissioner

ATTEST:


Kathleen 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.