

Service Date: April 29, 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)
Of The Town of Ekalaka To Increase)
Rates And Charges For Water Service)
In Its Ekalaka, Montana Service Area.)

UTILITY DIVISION
DOCKET NO. 93.3.8
ORDER NO. 5705

* * * * *

DEFAULT ORDER GRANTING WATER RATE INCREASE APPLICATION

BACKGROUND

1. On March 8, 1993, the Town of Ekalaka (Applicant) filed an Application with the Montana Public Service Commission (PSC) pursuant to Sections 69-7-101 et seq., MCA, for an order authorizing the Applicant to increase water rates in its Ekalaka, Montana service area. This increase will provide revenues to meet Department of Natural Resources and Conservation (DNRC) loan requirements. The rate increase will generate approximately \$29,607 in additional annual revenues, or an increase of 55% in total annual revenues from water rates.

2. On March 19, 1993, the PSC issued a Notice of Opportunity For Public Hearing. A provision in that notice stated, "If no hearing is requested by April 19, 1993, no hearing will be held and an appropriate order may be issued based upon evidence submitted with the Application."

3. The PSC has received no protest or request for hearing.

FINDINGS OF FACT

4. On February 16, 1993, the Town Council of the Town of Ekalaka passed a resolution to request PSC approval of the proposed rates.
5. The Town needs additional revenue to meet DNRC loan requirements.
6. The proposed rates will increase annual revenues by approximately \$29,607, or an increase of 55% in total annual revenues from water rates.

CONCLUSIONS OF LAW

1. The Applicant, the Town of Ekalaka, is a public utility as defined in Section 69-3-101, MCA. The Montana Public Service Commission properly exercises jurisdiction over municipal utility rate increase Applications in excess of 12% in total annual revenues. Section 69-7-102, MCA.
2. The PSC has provided adequate public notice and an opportunity to be heard as required by Section 69-3-303, MCA, and Title 2, Chapter 4, MCA (Montana Administrative Procedures Act).
3. The rates and rate structure in this order are just and reasonable. Sections 69-3-201 and 69-3-330, MCA.

ORDER

IT IS HEREBY ORDERED THAT:

1. The rates as filed by the Applicant with its Application are authorized.
2. The rates shall be effective for service rendered on and after April 26, 1993.

DONE IN OPEN SESSION at Helena, Montana on this 26th day of April, 1993,
by a 5-0 vote.

BY THE ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

Bob Anderson

BOB ANDERSON, Chairman

Bob Rowe

BOB ROWE, Vice Chairman

Dave Fisher

DAVE FISHER, Commissioner

Nancy McCaffree

NANCY McCAFFREE, Commissioner

Danny Oberg

DANNY OBERG, 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.