

Service Date: November 23, 1993

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

\* \* \* \* \*

IN THE MATTER Of The Application	)	UTILITY DIVISION
Of The Town of Bearcreek To Increase	)	DOCKET NO. 93.9.43
Rates And Charges For Water Service	)	ORDER NO. 5759
In Its Bearcreek, Montana Service Area.	)	

\* \* \* \* \*

DEFAULT ORDER GRANTING WATER RATE INCREASE APPLICATION

BACKGROUND

1. On September 22, 1993, the Town of Bearcreek (Applicant or Town) 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 Bearcreek, Montana service area. This increase will provide revenues to meet FHA (Farmers Home Administration) loan requirements. The rate increase will generate approximately \$3,660 in additional annual revenues, or an increase of 53.32% in total annual revenues from water rates.

2. On October 5, 1993, the PSC issued a Notice of Opportunity For Public Hearing. A provision in that notice stated, "If no hearing is requested by November 4, 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 September 1, 1993, the Town Council of the Town of Bearcreek passed a

resolution to request PSC approval of the proposed rates.

5. The Town needs additional revenue to meet FHA loan requirements.

6. The proposed rates will increase annual revenues by approximately \$3,660, or an increase of 53.32% in total annual revenues from water rates.

#### CONCLUSIONS OF LAW

1. The Applicant, the Town of Bearcreek, 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.

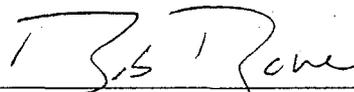
2. The rates shall be effective for service rendered on and after November 8, 1993.

DONE IN OPEN SESSION at Helena, Montana on this 8th day of November, 1993, by a 5-0 vote.

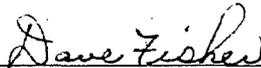
BY THE ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION



BOB ANDERSON, Chairman



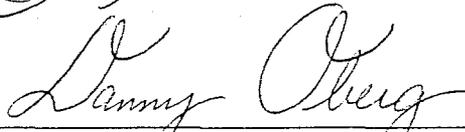
BOB ROWE, Vice Chairman



DAVE FISHER, Commissioner



NANCY McCAFFREE, Commissioner



DANNY OBERG, 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 38.2.4806, ARM.