

Service Date: December 16, 1994

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 Town of Kevin (Gas) For) DOCKET NO. 94.11.57
Authority To Increase Charges For) INTERIM ORDER NO. 5819
For Natural Gas Service.)

FINDINGS OF FACT

1. Town of Kevin 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 increased costs resulting from The Montana Power Company (Company) in Docket No. 94.11.50.
2. On December 12, 1994, the Commission's Order No. 5817 granted Montana Power Company a natural gas rate increase.
3. Order No. 5817 will increase the cost of purchased gas to Applicant.

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 December 13, 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 12th day of December by a 4 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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.