

Service Date: May 9, 1995

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 Alberton To Increase) DOCKET NO. 95.3.10
Rates And Charges For Sewer Service) ORDER NO. 5846
In Its Alberton, Montana Service Area.)

* * * * *

ORDER GRANTING UNPROTESTED SEWER RATE INCREASE APPLICATION

BACKGROUND

1. On March 24, 1995, the Town of Alberton (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 sewer rates in its Alberton, Montana service area. This increase will provide revenues to defray increased operation and maintenance expenses.

The rate increase will generate approximately \$17,286 in additional annual revenues, or an increase of 125 percent in total annual revenues to the sewer utility.

2. On March 27, 1995, the PSC issued a Notice of Opportunity For Public Hearing. A provision in that notice stated, "If no hearing is requested by April 25, 1995, 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 7, 1995, the Town Council of the Town of

Alberton passed a resolution to request PSC approval of the proposed rates.

5. The Town needs additional revenue to defray increased operation and maintenance expenses associated with the improvements planned by the Town.

6. The Town completed a study which concluded that there are improvements that need to be conducted, including the removal of accumulated sludge from the lagoons, inspecting the lagoon liners, sewer main inspection and a lift station upgrade.

7. The Town will fund expansion needs through the creation of Special Improvement Districts (SIDs) and applications for Grants.

8. The proposed rates will increase annual revenues by approximately \$17,286, or an increase of 125 percent in total annual revenues to the sewer utility.

9. The Commission reviewed the Application to determine the reasonableness of the request. Because there were no interveners the record upon which the Commission could base its decision did not contain any opposing views.

10. Based upon the evidence submitted with the Application, the Commission accepts the Town's proposed Application.

CONCLUSIONS OF LAW

1. The Applicant, the Town of Alberton, is a public utility as defined in §69-3-101, MCA. The Montana Public Service Commission properly exercises jurisdiction over municipal utility rate increase Applications in excess of 12 percent 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).

The Commission has received no protest or requests for hearing.

3. Based on the record, 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 May 8, 1995.

DONE IN OPEN SESSION at Helena, Montana on this 8th day of May, 1995, by a 5-0 vote.

BY THE ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, 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.