

Service Date: December 16, 2004

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)	UTILITY DIVISION
HAVRE PIPELINE COMPANY to Increase)	DOCKET NO. D2004.8.128
Rates and Charges to its Direct Rural)	ORDER NO. 6590
Farmstead Customers)	

ORDER GRANTING APPROVAL OF INCREASED RATES

BACKGROUND AND FINDINGS OF FACT

1. On August 9, 2004, the Montana Public Service Commission (PSC) received an Application from Havre Pipeline Company (Havre) for authority to increase rates and charges for natural gas service to its Montana direct rural farmstead customers. The new rate for natural gas service to these customers will be \$4.1716 per MCF, an increase of \$0.2653 per MCF from the current rate of \$3.9063 per MCF. This increase will affect approximately 125 customers, for an average annual farm tap gas bill increase of \$79.00.
2. On August 25, 2004, the PSC issued a Notice of Application and Intervention Deadline establishing an intervention deadline of September 14, 2004.
3. On September 7, 2004, the law firm of Browning, Kaleczyk, Berry & Hoven, P.C., by Kimberly A. Beatty, filed a Notice of Appearance on behalf of Havre.
4. On September 21, 2004, the Montana Consumer Counsel (MCC) filed a Petition for Late Intervention. No other person petitioned for intervention in this docket.
5. On September 28, 2004, the PSC, at a regularly scheduled and noticed work

session, granted the MCC's Petition for Late Intervention.

6. On November 4, 2004, the PSC issued Procedural Order No. 6590a outlining the procedural dates in this docket.

7. The MCC conducted discovery in this matter and elected not to file intervenor testimony.

8. Having reviewed this application and responses to data requests, the PSC finds that this increase is just and reasonable, and hereby accepts it.

9. Any Conclusions of Law which are properly Findings of Fact are hereby deemed to be such.

CONCLUSIONS OF LAW

1. The Applicant, Havre Pipeline Company, is a public utility as defined in §69-3-101, MCA. The Montana Public Service Commission properly exercises jurisdiction over public utilities, pursuant to its authority under Title 69, Chapter 3, MCA.

2. The PSC has provided adequate public notice and an opportunity to be heard as required by 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.

4. Any Findings of Fact which are properly Conclusions of Law are hereby deemed to be such.

ORDER

IT IS HEREBY ORDERED THAT:

1. The PSC approves the rates and tariffs for Havre Pipeline Company, which shall be effective for service rendered on and after December 14, 2004.

DONE IN OPEN SESSION at Helena, Montana on this 14th day of December, 2004 by a 5-0 vote.

BY THE ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
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.