

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

IN THE MATTER OF the Application of)
UTILITY SOLUTIONS, LLC to)
Implement Initial Rates and Charges)
for Water Services in its Elk Grove)
Subdivision, Gallatin County, Montana)
Service Area)

UTILITY DIVISION

DOCKET NO. D2005.11.163

Consolidated with

IN THE MATTER OF the Application of)
UTILITY SOLUTIONS, LLC to)
Implement Initial Rates and Charges)
for Wastewater Services in its Elk)
Grove Subdivision, Gallatin County,)
Montana Service Area)

UTILITY DIVISION

DOCKET NO. D2005.11.164

CONSOLIDATED MOTIONS

Utility Solutions, LLC, the Applicant in the above dockets, respectfully makes and files the following consolidated motions. It integrates with its motions its brief in support of the motions. The Montana Consumer Counsel (MCC) has authorized counsel for Utility Solutions to represent that it supports the motions.

MOTION TO PARTIALLY VACATE PROCEDURAL ORDER

Utility Solutions and the MCC have just negotiated a comprehensive settlement of the issues between them. A Stipulation has been executed and filed with the Commission which proposes that the Commission issue a final rate order in these proceedings which adopts permanent initial rates at the revenue levels determined to be just and reasonable in the pre-filed testimony of Mr. Paul Schulz, expert witness for the MCC. Accordingly, the pre-hearing procedures leading up to the contested case hearing, currently scheduled for March 31, 2010, are unnecessary, and should be vacated..

MOTION TO CHANGE HEARING DATE

The hearing in this matter is currently scheduled for March 31, 2010. The week of March 29th through April 2nd is Spring Break in the Helena School system, and some of the hearing participants may be desirous of spending that time with their families, if at all possible. Because of the filing of the Stipulation described above, it is believed that the hearing in this matter will be relatively short. Utility Solutions therefore requests that the Commission reschedule the hearing to either an earlier date, or the week following (April 5th through April 9th), if possible.

Dated this 8th day of January, 2010.

HUGHES, KELLNER, SULLIVAN & ALKE

By John Alke
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ATTORNEYS FOR UTILITY SOLUTIONS, LLC

CERTIFICATE OF SERVICE BY MAIL

I HEREBY CERTIFY that a copy of the foregoing **CONSOLIDATED MOTIONS** was served upon the following by mailing a true and correct copy thereof on **January 8, 2010**, addressed as follows:

**MONTANA CONSUMER COUNSEL
P O BOX 201703
HELENA MT 59620-1703**

John Alke
John Alke