

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

* * * * *

IN THE MATTER OF Petition for a
Declaratory Ruling Disclaiming
Commission Jurisdiction over the
Sale and Transfer of Stock in Park
Water Company and Application for
Approval of the Sale and Transfer of
Stock in Park Water Company

UTILITY DIVISION

DOCKET NO. D2011.1.8

PETITION TO INTERVENE BY CITY OF MISSOULA

**An Interested Party Directly Affected By Mountain Water Company's
Sale and Transfer of Stock**

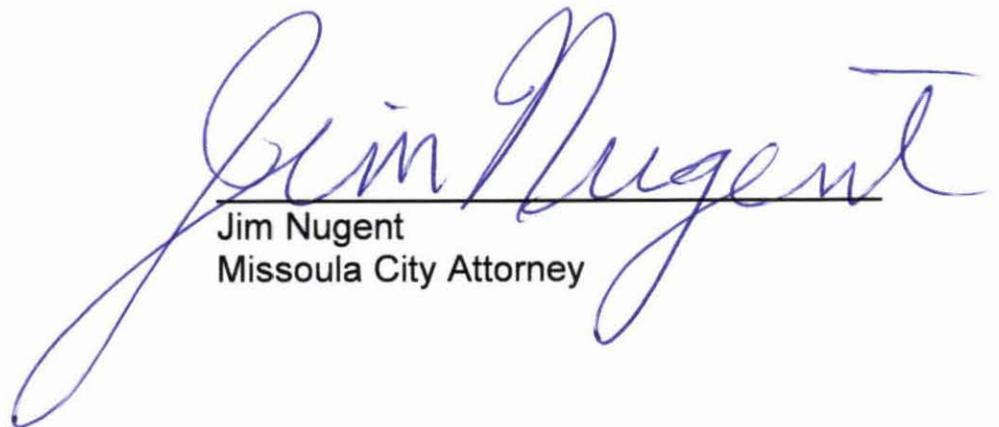
The City of Missoula respectfully petitions to intervene in Docket number D2011.1.8. On January 24, 2011 Mountain Water Company (Mountain Water) filed a consolidated petition with the Montana Public Service Commission (Commission) for a declaratory ruling disclaiming Commission jurisdiction over the sale and transfer of stock in Park Water Company (Park Water) and application for approval of the sale and transfer of stock in Park Water. Park Water owns Mountain Water which provides the Missoula community's public water supply. Since Mountain Water owns the Missoula community's public water supply, some citizens of the Missoula community as well as the City of Missoula are concerned and

desire to be informed about and monitor what is publicly occurring with respect to the proposed sale of Park Water.

The City of Missoula is a major customer of Mountain Water. Customers of Mountain Water have a legitimate interest in learning about and ascertaining what is occurring with respect to the proposed Park Water sale transaction because it potentially affects Mountain Water customers pursuant to water rates, adequacy of service, water metering, maintenance and repair of capital infrastructure etc. etc. If the Commission refuses to disclaim jurisdiction, and refuses to provide comity to the California PUC, Montana's PSC should ensure that the sale of Park water stock to Carlyle does not in any way adversely affect Mountain Water customers.

Therefore the City of Missoula respectfully requests to intervene in this matter and be noticed on all further proceedings.

RESPECTFULLY submitted this day of February, 2011.



Jim Nugent
Missoula City Attorney