

Service Date: August 24, 2011

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

IN THE MATTER OF the Consolidated	)	REGULATORY DIVISION
Petition by Mountain Water Company for	)	
Declaratory Rulings and Application for	)	DOCKET NO. D2011.1.8
Approval of Sale and Transfer of Stock in	)	
Park Water Company	)	

**NOTICE OF STAFF ACTION AMENDING PROCEDURAL SCHEDULE**

On January 24, 2011, Mountain Water Company (Mountain Water) filed a Consolidated Petition for Declaratory Ruling and Application for Approval of Sale and Transfer of Stock (Filing) with the Montana Public Service Commission (Commission). Procedural Order No. 7149 (Order No. 7149a) was issued on May 13, 2011. Order No. 7149a was modified on August 3, 2011 by an Amended Procedural Order No. 7149b (Order No. 7149b). Order No. 7149b established an August 16, 2011 deadline for the Commission to identify additional issues.

On August 11, 2011 the Commission issued a Notice of Additional Issues and Amended Procedural Schedule (Notice) identifying a number of additional issues. The Commission determined that Order No. 7149b was to be modified to establish the deadlines for additional issue testimony from Carlyle, discovery requests, intervenor testimony (if necessary), and rebuttal testimony (if necessary). The deadline for Carlyle to file additional issue testimony was set for August 19, 2011. The Notice indicated that Commission staff will work with the parties to set dates for the additional issue schedule that maintains the hearing date of September 26, 2011. In consultation with the parties, the procedural schedule is reset as set out below.

(a) Completed: Final day for opening testimony from Mountain Water Company and/or the

- Carlyle Group in support of the application.
- (b) Completed: Final day for written discovery (includes data requests) to utility on utility's application and prefiled testimony.
  - (c) Completed: Final day for utility to respond to discovery on utility's application and prefiled testimony.
  - (d) Completed: Final day for initial prefiled testimony from intervenors.
  - (e) Completed: Final day for written discovery on intervenor prefiled testimony.
  - (f) Completed: \*Additional issues, if any, identified by PSC staff.
  
  - (g) Completed: Final day for intervenors to respond to written discovery on prefiled testimony.
  - (h) Completed: Final day for Mountain/ Carlyle to file testimony on additional issues.
  - (i) August 26, 2011: Final day for written discovery to Mountain/ Carlyle on testimony on additional issues.
  - (j) September 2, 2011: Final day for utility rebuttal testimony and intervenor response testimony, if any, to intervenor prefiled testimony.
  - (k) September 2, 2011: Final day for Mountain/Carlyle to respond to written discovery on additional issues.
  - (l) September 9, 2011: Final day for discovery on utility rebuttal testimony and intervenor response testimony, if any.
  - (m) September 9, 2011: Final day for intervenors' testimony on additional issues, if any.
  - (n) September 14, 2011: Final day for written discovery to intervenors on testimony on additional issues, if any.
  - (o) September 19, 2011: Final day for intervenors to respond to written discovery on testimony on additional issues, if any.
  - (p) September 23, 2011: Final day for Mountain/Carlyle to file rebuttal testimony on additional issues, if any.
  - (q) September 23, 2011: Final day for Mountain/Carlyle to respond to discovery on utility rebuttal testimony and intervenors to respond to discovery on intervenor response testimony, if any.
  - (r) September 23, 2011: Final day for Prehearing Memorandum, if any.

- (s) September 26, 2011: Hearing commences and continues from day to day until concluded.

Notice of staff action done this 24<sup>th</sup> day of August, 2011.

BY THE MONTANA PUBLIC SERVICE COMMISSION

TRAVIS KAVULLA, Chairman  
GAIL GUTSCHE, Vice Chair  
W. A. (BILL) GALLAGHER, Commissioner  
BRAD MOLNAR, Commissioner  
JOHN VINCENT, Commissioner