

Service Date: February 3, 2016

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

IN THE MATTER OF the Investigation of) REGULATORY DIVISION
the Montana Public Service Commission)
into whether Mountain Water Company's) DOCKET NO. D2016.2.15
rates are Just and Reasonable)
)
)
)

NOTICE OF INVESTIGATION AND INTERVENTION DEADLINE

On January 29, 2016, the Montana Public Service Commission (PSC) voted to initiate a proceeding to inquire into whether Mountain Water Company's current water rates for its Missoula, Montana customers are just and reasonable. On January 11, 2016, the PSC received the *Joint Applicants' Notice of Closing and Withdrawal of Joint Application* (Notice) in Docket No. D2014.12.99. The Notice stated that on January 8, 2016, the sale and transfer of Western Water stock to Liberty WWH closed, with Liberty WWH merging into Western Water and Western Water continuing as the wholly-owned subsidiary of Liberty Utilities. The PSC's proceedings, at that time were stayed by the Missoula District Court, so the PSC had not yet completed its review of the sale and transfer.

State law vests the PSC with "full power of supervision, regulation, and control of public utilities." Mont. Code Ann. § 69-3-102 (2015). The PSC may at any time "upon its own motion, investigate any of the rates, tolls, charges, rules, practices, and services" of a utility. Mont. Code Ann. § 69-3-324. Rates must be "reasonable and just, and every unjust and unreasonable charge is prohibited and declared unlawful." Mont. Code Ann. § 69-3-201. The PSC will investigate Mountain Water's rates to determine if they are just and reasonable under the current capital structure and cost of capital now that Liberty Utilities is the new owner of Mountain Water.

A person directly affected by these matters that wants to be a party to this proceeding must petition to intervene **no later than February 10, 2016**. Mont. Admin. R. 38.2.2403 (2015). In order to petition for intervention, a party must: (1) Submit the petition electronically

(e-file) on the PSC's website at <http://psc.mt.gov>; and (2) physically deliver or mail the original document to the PSC at 1701 Prospect Avenue P.O. Box 202601, Helena, Montana 59620. The PSC anticipates soliciting comments and establishing further procedural process shortly after the intervention deadline.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BRAD JOHNSON, Chairman
TRAVIS KAVULLA, Vice Chairman
KIRK BUSHMAN, Commissioner
ROGER KOOPMAN, Commissioner
BOB LAKE, Commissioner