

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

\* \* \* \* \*

IN THE MATTER of the Application	)	
of the MONTANA POWER COMPANY for	)	UTILITY DIVISION
Authority to Issue and Sell	)	
not to Exceed 3,000,000 Additional	)	DOCKET NO. D97.6.95
Shares of No Par Value Common	)	
Stock Pursuant to its Dividend	)	DEFAULT ORDER NO. 5989
Reinvestment and Stock Purchase Plan	)	

1. On June 10, 1997, The Montana Power Company (Applicant or MPC), a corporation organized and existing under the laws of the state of Montana, filed with the Montana Public Service Commission (Commission) its application pursuant to Montana Code Annotated (MCA) §§ 69-3-501 through 69-3-507, seeking an order authorizing the issuance and sale of not to exceed 3,000,000 additional shares of MPC's authorized but unissued no par value common stock pursuant to its Dividend Reinvestment and Stock Purchase Plan (the Plan).

2. The application is supported by exhibits and data in accordance with Commission practice and rules and regulations governing such issuance of securities by public utilities operating within the state of Montana.

3. The application states that MPC is a public utility as defined in MCA § 69-3-101, in that it furnishes electric and natural gas service in the state of Montana; that MPC's principal executive office is at 40 East Broadway, Butte, Montana; and that MPC is duly qualified to do business in the states of Montana, Wyoming and Idaho. For detailed information with respect to the general character of MPC's business and the territory served by it, reference is made to the application.

**FINDINGS**

1. MPC is a corporation organized and existing under and by virtue of the laws of the state of Montana and is qualified to transact business in the state of Montana.

2. MPC is a public utility as defined in MCA § 69-3-101 and is engaged in furnishing electric and natural gas service in the state of Montana.

3. The Commission has jurisdiction over the subject matter of the application pursuant to MCA § 69-3-501.

4. The application states that MPC requests authorization to issue not to exceed 3,000,000 additional shares of its authorized but unissued no par value common stock pursuant to the Plan. Authorization for the requested additional shares of authorized but unissued common stock for the continuation of the Plan will serve the public interest in that it will provide funds for MPC's general corporate purposes and will provide a convenient and economical means for eligible shareholders and other interested investors resident in certain states in which the Company has satisfied the requirements of such states' securities laws applicable to the operation of the Plan, to purchase shares of MPC's common stock through the reinvestment of dividends on shares of MPC's common and preferred stock and/or to make optional cash payments to purchase common stock.

5. MPC has furnished complete financial data with its application in accordance with the developed practice of the Commission. The application sets forth a certified copy of the appropriate corporate resolutions pertaining to this matter, which were adopted on May 12, 1997.

#### **CONCLUSION OF LAW**

1. The authorization for issuance of the securities proposed by the application, as authorized by this Order, will be for a lawful purpose and is consistent with the public interest and is necessary or appropriate for and consistent with the proper performance by MPC of acts undertaken to achieve its general corporate purposes.

#### **ORDER**

1. The application of MPC for authority to issue not to exceed 3,000,000 additional shares of its authorized but unissued no par value common stock pursuant to the Plan, is approved.

2. In accordance with MCA § 69-3-507, nothing in this Order, nor any other act or deed done or performed in connection therewith, shall be construed to obligate the state of Montana to pay or guarantee, in any manner whatsoever, any security authorized, issued, assumed or guaranteed under the provisions of MCA §§ 69-3-501 through 69-3-507.

3. Issuance of this Order does not constitute acceptance of MPC's exhibits or other material accompanying the application for any purpose other than the issuance of this Order.

DONE IN OPEN SESSION at Helena, Montana this 23rd day of June 1997, by vote of 5 -0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

---

DAVE FISHER, Chairman

---

NANCY McCAFFREE, Vice Chair

---

BOB ANDERSON, Commissioner

---

DANNY OBERG, Commissioner

---

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
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.