

Service Date: December 2, 1998

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

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IN THE MATTER OF MONTANA-DAKOTA)	UTILITY DIVISION
UTILITIES CO., Complaint by Montana)	
Coalition Against Unfair Utility Competition)	DOCKET NO. D98.11.269
)	ORDER NO. 6122

ORDER DISMISSING COMPLAINT

On October 9, 1998, the Public Service Commission (PSC) received a complaint by the Montana Coalition Against Unfair Utility Competition (Coalition), Billings, Montana, against Montana-Dakota Utilities, Co. (MDU), and pertaining to unfair utility competition with small business firms through deceptive advertising and use of ratepayer funds to solicit and perform appliance maintenance. During the past several years the Coalition has submitted several similar inquiries or complaints relating to unfair utility competition and pertaining to specific utilities or utilities in general.

The PSC determines that PSC authority over public utilities may be limited in regard to unregulated appliance merchandising and servicing by public utilities. Attached (as Appendix A) is a PSC Policy Statement pertaining to the matter. The PSC also determines that the Coalition's complaint does not support the claims made to any extent which might reasonably establish good or probable cause to pursue the matter further.

IT IS HEREBY ORDERED that the complaint by the Coalition is dismissed.

Done and dated this 27th day of October, 1998, by a vote of 3-2.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DAVE FISHER, Chair

NANCY MCCAFFREE, Vice Chair

BOB ANDERSON, Commissioner
voting to dissent

DANNY OBERG, Commissioner

BOB ROWE, Commissioner
voting to dissent

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.