

Service Date: July 9, 1999

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

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INT THE MATTER of the Application	)	UTILITY DIVISION
Of Seeley Lake Gas Company for	)	DOCKET NO. D99.3.72
Approval of the Sale of Assets to	)	ORDER NO. 6187
Cenex Harvest States Cooperative.	)	

\* \* \* \* \*

DEFAULT ORDER GRANTING SALE OF ASSETS

FINDINGS OF FACT

1. On March 19, 1999, Seeley Lake Gas Company (Seeley) filed a petition with the Montana Public Service Commission (Commission) requesting the Commission authorize the transfer of the assets and operating responsibilities of Seeley's underground vaporized propane gas utility in Seeley Lake, Montana to Cenex Harvest States Cooperative (CENEX). Cenex proposes to continue propane service to all consumers previously supplied by Seeley. Transfer of the assets will not in itself result in a rate increase for any consumer.
2. On June 2, 1999, the Commission issued a Notice of Sale of Assets and Opportunity for Public Hearing, which was properly published in the legal publications. The Commission gave interested parties until June 28, 1999, to request a hearing or submit protests regarding the Application.
3. The Commission received no protests or requests for public hearing, and therefore, no public hearing is necessary.
4. A review of the Application indicates no threat to the adequacy or availability of service to the utility's customers.
5. Cenex as proposed new owner appears to have the financial and other resources necessary to provide adequate service in the future.

CONCLUSIONS OF LAW

1. This Commission has jurisdiction over the parties and matters contained in this Docket, pursuant to Title 69, Chapter 3, Montana Code Annotated (MCA).
2. The Application demonstrates that the transfer of ownership will not result in inadequate service or unreasonable rates.
3. The Application indicates that there will be no potential gain from the sale of assets and no need to determine disbursement of any gain.
4. Cenex is fit, willing and able to assume the service responsibilities associated with ownership of the propane system now owned by Seeley Lake Gas Company.

ORDER

NOW THEREFORE, IT IS ORDERED THAT:

1. Seeley Lake Gas Company is hereby authorized to transfer its assets and operating responsibilities to Cenex Harvest States Cooperative.
2. Upon transfer, Cenex Harvest States Cooperative shall file rates, consistent with those outlined in the Application, for provision of service to consumers in the utility's Seeley Lake, Montana service area.

DONE IN OPEN SESSION this 7<sup>th</sup> day of July, 1999, by a 5-0 vote.

BY THE ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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DAVE FISHER, Chairman

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NANCY McCaffree, Vice Chair

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BOB ANDERSON, Commissioner

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GARY FELAND, Commissioner

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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.