

June 28, 2011 – For Immediate Release

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PSC Asserts Jurisdiction in Proposed Mountain Water Sale

The Montana Public Service Commission (PSC) unanimously voted today to assert jurisdiction in the potential sale of the parent company of Mountain Water Company to the private equity firm the Carlyle Group. The commission's vote formally denied a petition from Mountain Water which requested that the commission issue a ruling disclaiming jurisdiction.

"It's clear that the proposed sale of Mountain Water will affect thousands of Missoula rate payers," says PSC Vice Chair Gail Gutsche. "Asserting jurisdiction over the proceedings is the only way to guarantee that the issues surrounding the proposed sale are fully vetted."

In its findings, the Commission order stated: "The jurisdiction of the Commission over the sale and transfer of Park stock is based on Mountain Water's status as a regulated subsidiary of Park and its public utility status in Montana."

The next step in the process is a hearing in Missoula in September to fully examine all of the issues. The public will have an opportunity to provide comments in person at that meeting. At the hearing, all parties to the case will present their arguments for or against the sale. The City of Missoula, Clark Fork Coalition, Montana Consumer Counsel, and the Carlyle Group are all parties to the case and will be given the chance to testify and answer questions posed by the commissioners, commission staff, and counsel for any party to the case. Following the hearing, the parties will be given the opportunity to submit post-hearing briefs, and then the PSC will deliberate on the merits of the case and render a decision. The Commission anticipates making a decision on the sale in the Fall.

For additional information on the proposed sale of Mountain Water to the Carlyle Group, go to www.psc.mt.gov and enter the docket number D2011.1.8. To comment electronically on the potential sale, click on www.psc.mt.gov and then "contact us" and "comment on proceedings." Written comments can be submitted to Post Office Box 202601; Helena, MT 59620-2601.

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