Service Date: May 12, 1994

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

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IN THE MATTER Of The Application Of The Town of Opheim To Increase Rates And Charges For Sewer Service In Its Opheim, Montana, Service Area.	))))	UTILITY DIVISION DOCKET NO. 94.3.12 ORDER NO. 5783

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DEFAULT ORDER GRANTING SEWER RATE INCREASE APPLICATION

BACKGROUND

1. On March 10, 1994, the Town of Opheim (Town or Applicant) filed an Application with the Public Service Commission (PSC) requesting that, pursuant to its jurisdiction established by Title 69, including Chapters 3 and 7, MCA, the PSC authorize a sewer rate increase to provide revenues to defray increased costs of operation and maintenance. The proposed 143% revenue increase will generate approximately $4,800 in additional annual revenues.

2. On March 29, 1994, the PSC issued a Notice of Opportunity For Public Hearing. A provision in that notice stated, "If no hearing is requested by April 28, 1994, no hearing will be held and an appropriate Order may be issued based upon evidence submitted with the Application."

3. The PSC has received no protest or request for hearing.

FINDINGS OF FACT

4. On January 10, 1994, the Town Council of the Town of Opheim passed a resolution to request PSC approval of the proposed rates.

5. The Town needs additional revenues to defray increased costs of operation and maintenance.

6. The proposed rates will increase annual revenues by approximately $4,800, or an increase of 143% in total annual revenues from sewer rates.

CONCLUSIONS OF LAW

1. The Applicant, the Town of Opheim, is a public utility as defined in §69-3-101, MCA. The Montana Public Service Commission properly exercises jurisdiction over municipal utility rate increase Applications in excess of 12% in total annual revenues. Section 69-7-102, MCA.

2. The PSC has provided adequate public notice and an opportunity to be heard as required by §69-3-303, MCA, and Title 2, Chapter 4, MCA (Montana Administrative Procedures Act).

3. The rates and rate structure in this Order are just and reasonable. Sections 69-3-201 and 69-3-330, MCA.

ORDER

IT IS HEREBY ORDERED THAT:

1. The rates as filed by the Applicant with its Application are authorized.

2. The rates shall be effective for service rendered on and after May 9, 1994.

DONE IN OPEN SESSION at Helena, Montana on this 9th day of May, 1994, by a 5-0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

Bob Anderson
BOB ANDERSON, Chairman

Bob Rowe
BOB ROWE, Vice Chairman

Dave Fisher
DAVE FISHER, Commissioner

Nancy McCaffree
NANCY McCAFFREE, Commissioner

Danny Oberg
DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson

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.