

MINUTES OF THE MEETING
BUSINESS & INDUSTRY COMMITTEE
MONTANA STATE SENATE

January 29, 1979

The meeting of the Business and Industry Committee was called to order by Chairman Frank Hazelbaker on the above date in Room 404 of the State Capitol Building at 9:30 a.m.

ROLL CALL: All members were present.

SENATE BILL 201: Senator Lowe, sponsor of SB 201, explained the bill to the Committee. He stated this bill is an act to amend Section 32-1-322, MCA, to allow an annual bank stockholders' meeting to be held on any Tuesday up to and including the second Tuesday in April of each calendar year.

PROPOSERS OF SENATE BILL 201: Mr. Harold Pitts, representing the Montana Bankers Association, stated that the Bankers Assoc. endorse this bill.

There were no opponents of the bill.

There was a general discussion of Committee members regarding the dates of the bankers' meetings.

DISPOSITION OF SENATE BILL 201: Senator Peterson moved the bill DO PASS. Senator Dover seconded the motion. The bill passed unanimously. Senator Goodover moved the bill be placed on the Consent Calendar. This was given unanimous approval by the Committee.

SENATE BILL 82: Senator Regan led the discussion on the Statement of Intent for this bill. Senator Kolstad moved that we adopt the Statement of Intent. Senator Dover seconded the motion. The Statement of Intent was adopted unanimously.

Senator Regan made a motion that Senate Bill 82 DO PASS with the adopted Statement of Intent.

ROLL CALL VOTE: Senate Bill 82 was given a vote of DO PASS by a vote of 6-2. The Roll Call Vote is attached.

SENATE BILL 191: Chairman Hazelbaker introduced Senator Bob Palmer who explained the bill. Mr. Palmer stated this bill is an act to prohibit public utilities from discontinuing power during the winter months. He said the bill originated as the result of a tragic accident in Missoula during the month of November in 1977. Mr. Palmer included an amendment which is attached. He said concern lies with people who cannot afford to pay their energy bills during the cold winter months.

Minutes of the Meeting
Business and Industry Committee
January 29, 1979

PROPOSERS OF SENATE BILL 191: Gail Stoltz, representing the Human Resources Development Council, spoke in support of SB 191. Her testimony is attached.

Mr. David Burchett, auditor for PSC, also spoke in support of the bill.

Mr. James Mallard, representative of Coalition of Human Resources, supports SB 191 and its proposed amendment.

Mr. David Hull, citizen from Missoula, and Mr. Neal Valley, citizen from Missoula, also gave brief statements in support of SB 191.

OPPOSERS OF SENATE BILL 191: Mr. Riley Childers, representative of Montana Rural Electric and Telephone Cooperatives, was an opponent of SB 191. He stated it involves extra work in making collections.

Mr. Gene Phillips of Kalispell, representing Pacific Power and Light, spoke as an opponent of SB 191. His company feels the PSC is doing an adequate job in stating the rules at this time.

Mr. Jack Burke, representing The Montana Power Company said his company takes the same approach as Mr. Phillips. Policy is set forth clearly in writing. The people in charge are trying to handle all services in as humane a way as possible. He does not feel the Legislature is the proper forum to regulate rules of utility companies.

There were no other opponents of the bill.

Senator Palmer made closing statements in support of the bill.

Chairman Hazelbaker asked for questions from the Committee.

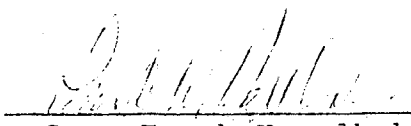
Senator Dover asked Bill Opitz who takes the responsibility to see that these utility bills are paid. Mr. Opitz explained federal standards and how they are related to the bill. He stated there are policy statements regarding this. The PSC must implement all facets of the National Energy Act. The PSC could deal with it if they had the resources.

Senator Kolstad stated he did not believe this was a localized problem. The Committee agreed. There were no further questions.

DISPOSITION OF SENATE BILL 191: No action was taken at this meeting. The Committee's Staff Attorney will be consulted on the proposed amendment and get back to the Committee.

The hearing on Senate Bill 191 was concluded.

ADJOURN: There being no further business, the meeting was adjourned at 11:00 a.m.


Sen. Frank Hazelbaker, Chairman

SENATE COMMITTEE BUSINESS & INDUSTRY

Date 1/29/79 Bill No. SB 82 Time 10 am

NAME	YES	NO
Pat M. Goodover, Vice Chairman	✓	
Chet Blaylock	✓	
Harold Dover		✓
Tom Hager	✓	
Allen Kolstad		✓
Bill Lowe		
John Mehrens	✓	
Bob Peterson		
Pat Regan	✓	
Frank Hazelbaker, Chairman	✓	

Marjorie Nichols
Secretary

Chairman

Motion: Roll Call Vote on SB 82.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....January 29,..... 19 79.....

MR.President:.....

We, your committee onBusiness and Industry.....

having had under considerationSenate..... Bill No. 201.....

Respectfully report as follows: That.....Senate..... Bill No. 201.....

was unanimously passed and was unanimously placed on the
Consent Calendar.

DO PASS

P.A.

STANDING COMMITTEE REPORT

.....January 29,..... 19 79.....

MR.President:.....

We, your committee onBusiness and Industry.....

having had under considerationSenate..... Bill No. 82.....

Respectfully report as follows: That.....Senate..... Bill No. 82.....
introduced bill, and adopted Statement of Intent:

DO PASS

J.R.

COMMITTEE

BILL

REGISTER

DATE _____

1/29/78

Please note bill no.

(check one)

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

Senate Bill 191, introduced bill, be amended as follows:

1. Page 1, line 6.

Following: "MONTHS"

Insert: ", AND AMENDING SECTION 3-10-301"

2. Page 1, line 11.

Following: "unit"

Insert: "occupied by a family whose family income is below the 125% of the Federal Poverty schedule established by the community services administration in the department of Health, Education and Welfare"

3. Page 1, line 13.

Following: line 12

Insert: "Section 2. In the event the public utility is considering discontinuance of service because a question of that individual's income is raised, that utility or that individual may apply to the local justice of the peace for resolution of the issue.

Section 3. Section 3-10-301, MCA is amended to read:
3-10-301 (8) In actions upon disputes between public utilities and consumers threatened with utility shut offs."

To whom it may concern,

If the bill to not shut off the power in the winter months were to be passed, it would be of a great service to most people in the low-income bracket.

Sincerely,
Betty Flint

Dear Senator Palmer:—

I am a woman of 63 yrs. old who is disabled. I am on general assistance program of the Welfare Department.

On this program I receive \$54⁰⁰ on food stamps, they pay the rent 60⁰⁰ a mo. and \$15.00 on montana power.

The 15⁰⁰ does not cover the full bill which is usually around \$45⁰⁰ a mo. during the winter. And I allway getting threats & warning notes of shutting off the gas & light.

Which I have no other means to have or get some Cash money.

I just can't live without heat in the winter.

Yours Truly
Frieda Alma Gallagher

Once upon a time, a family of four lived on an income of \$230 a month. They gave the landlord \$175 a month and that left them \$55. They gave the bus line \$10 a month so Dad could get to work and that left them \$45. Then the power bill came and it said that they owed \$56. They gave the power company \$30 and that left them \$25 to live on for the month. Next month the power bill came and it said that they owed \$63 for the current bill and \$26 on the balance. Well, the little boy had gotten sick that month so the power bill didn't get paid at all. Another month came and with it another power bill; this time it said that they owed \$59 current and \$89 balance. Altogether, they owed \$148 and they paid \$30. Next month a note came with the bill for \$197 that read, "Your account is seriously delinquent. . ."

Montana Power Company wants a 22% rate hike on the price of natural gas. The family in the story above would owe the Power Company \$253 instead of \$197 if the proposed rate hike is accepted. How will they pay? The cost of fuel has risen 120% in the last ten years. These are hard economic times for all of us; difficult if you are in the middle income bracket--impossible times if you are living on unemployment, social security, welfare, or at minimum wage. And if you are living on a low or fixed income, a 22% rate increase represents a disaster.

Montana Power Company's solution to the question "How will they pay?" was voiced by the president of the company in December of 1973. McElwain said that his company remains opposed to revising energy rate structures to favour small customers, particularly the poor. "We don't believe that this is the way to take care of a social problem; if utility rate relief is needed, Montana Power favours a stamp method similar to food stamps to help those on low or fixed incomes."

I'd like to hear what the taxpayers of Montana think of that kind of solution. The District XI Human Resource Council office in Missoula paid Montan Power Company over \$40,000 last year on the Emergency Energy Program for low and fixed income people who were behind on their bills to Montana Power Company and unable to pay. What do the taxpayers really think about paying that money to Montana Power along with their own power bills? And I'd like to ask the taxpayer who he thinks is going to pay his power bill if he loses the race against inflation.

There are solutions to the problem. The most obvious one is simply to disconnect the people who cannot pay. It's been done before, or have we already forgotten that old man who froze to death out in East Missoula? It's not illegal for Montana Power Company to shut off your utilities this winter.

If the prospect of allowing old people and children to freeze to death in the dark does not appeal you, maybe its time we came up with some other solutions. Maybe its time that every user of energy paid for it at the same rate; maybe its time that we made it economical to conserve energy; maybe its time that the right to power was recognized as the basic human right to stay alive. If you don't think you need power, shut your furnace off and find out what it feels like to live in Montana in the winter with no heat.

And it might be that it is time for the people who live in Montana to ask some questions about how much profit any company is allowed to make off of basic human necessities. The 1975 Report to the Stockholders of Montana Power Company includes this statement: "Although earnings increased 15 cents a share, from \$2.98 in 1974 to \$3.13 in 1975, we do not consider that gain satisfactory. . ." Sixty-six percent of the shareholders of the Montana Power Company do not live in Montana. The bulk of the profit this company

makes leave the state along with some 6 million tons of our coal.

There aren't a lot of choices left for the poor over the ever increasing cost of keeping warm. Sometime the citizens and taxpayers of this state are going to have to make some decisions, or let the power company make them for us. Are we going to let the elderly, poor, and children who's parents are poor in this state freeze to death in the dark? Somehow that doesn't sound like the Montana I grew up in. Are we going to pick up the tab for a utility stamp program? Somehow that doesn't sound like the Montana I grew up in, either. Are we going to insist on changes on the rate structure, life line rates, and the right to power in the winter? Montana, we have a choice. If we have to, we can buy the company and run it so it meets our approval.

If you don't know what the rate structure is, or what I mean by life line rates or the right to power in the winter, you had better find out. You could be the one out of work next week. What will you do when you get the notice that reads, "Your account is seriously past due. . . ."?

I'll see you at City Hall next Friday night.

Sherry Echos
1710 Scott Street
Missoula, MT 59801

Dear Montana State Legislators,

Consider this:

"In the hands of a people's government this power [government control of business] is wholesome and proper. But in the hands of political puppets, of an economic autocracy, such power would provide shackles for the liberties of the people

By attempting to limit ^{by} the law, the power of economic autocracy, the government itself seizes the power."

The MPC issue in this state is in the middle of the argument between socialism (government control) and capitalism (free market control). Unfortunately it is an emotional issue lending itself to sway by pictures of little old ~~men~~ women freezing in their ~~trailers~~ badly insulated ~~low~~ mobile homes. However the issue is bigger than that. Consider

carefully the issues at hand.
Are there better answers than
shutoff laws? C'mon. You guys are
paid to come up with solutions.

And stop and think about the
lobbyists. Who is paying who to say
what?

And Public Utility Districts? HA.
That's when I join Vicki!

Have fun guys. I wouldn't have
your job for nothin'!

This issue is not new to our Council. We asked the Public Service Commission for a ban on winter shut-offs last year after Toge Johnson froze to death in Milltown.

Our constituents are increasingly threatened by the rising cost of heating fuel. *Since 1970, heating costs in our* ~~Over the past 3 1/2 years energy prices in Montana~~ *area have doubled, but* ~~have jumped by 65 per cent.~~ Poverty level incomes cannot and do not keep pace with this inflation. As a result disadvantaged families, senior citizens and others on low and fixed incomes fear for their very survival in the winter. Some people have come to our office with winter fuel bills that *eat up* ~~require~~ 25 to 50 per cent of a household's monthly income.

Of course, there is a growing awareness of this problem. Government is beginning to recognize a citizen's right to a reasonable amount of warmth in the winter. Our own Council has winterized the homes of more than 700 families in District Eleven. Last year nearly 4000 Montana households received assistance designed to offset energy-related crises. Other subsidy plans are being discussed at both the state and federal levels.

Even the Montana Power Company has recognized the fact that low-income people can no longer meet winter fuel expenses. The Company, through an informal agreement with the PSC, no longer discontinues service during periods of sub-freezing temperatures.

What Senator Palmer's bill offers our constituents is merely a formalization of this agreement -- the protection of law. It says that Montanans of limited means should not be threatened with the loss of heat or light during the coldest months.

To me this seems a very rational and humane message. I hope it is the one that legislators convey to their constituents when they vote on this proposal.

presented in support of SB191
1-29-79

by Michael Barton
Energy Projects Director
District XI Human Resource Council
Missoula, Mt.

(3) The term "State regulated gas utility" means any gas utility with respect to which a State regulatory authority has ratemaking authority.

(4) The term "nonregulated gas utility" means any gas utility other than a State regulated gas utility.

(5) The term "rate" means any (A) price, rate, charge, or classification made, demanded, observed, or received with respect to sale of natural gas to a gas consumer, (B) any rule, regulation, or practice respecting any such rate, charge, or classification, and (C) any contract pertaining to the sale of natural gas to a gas consumer.

(6) The term "ratemaking authority" means authority to fix, modify, approve, or disapprove rates.

(7) The term "sale", when used with respect to natural gas, includes an exchange of natural gas.

(8) The term "State regulatory authority" means any State agency which has ratemaking authority with respect to the sale of natural gas by any gas utility (other than by such State agency).

SEC. 303. ADOPTION OF CERTAIN STANDARDS.

(a) **ADOPTION OF STANDARDS.**—Not later than 2 years after the date of the enactment of this Act, each State regulatory authority (with respect to each gas utility for which it has ratemaking authority) and each nonregulated gas utility shall provide public notice and conduct a hearing respecting the standards established by subsection (b) and, on the basis of such hearing, shall—

(1) adopt the standard established by subsection (b) (1) if, and to the extent, such authority or nonregulated utility determines that such adoption is appropriate and is consistent with otherwise applicable State law, and

(2) adopt the standard established by subsection (b) (2) if, and to the extent, such authority or nonregulated utility determines that such adoption is appropriate to carry out the purposes of this title, is otherwise appropriate, and is consistent with otherwise applicable State law.

For purposes of any determination under paragraphs (1) and (2) and any review of such determination in any court, under section 307, the purposes of this title supplement State law. Nothing in this subsection prohibits any State regulatory authority or nonregulated utility from making any determination that it is not appropriate to implement any such standard, pursuant to its authority under otherwise applicable State law.

(b) **ESTABLISHMENT.**—The following Federal standards are hereby established:

(1) **PROCEDURES FOR TERMINATION OF NATURAL GAS SERVICES.**—No gas utility may terminate natural gas service to any gas consumer except pursuant to procedures described in section 304 (a).

(2) **ADVERTISING.**—No gas utility may recover from any person other than the shareholders (or other owners) of such utility any direct or indirect expenditure by such utility for promotional or political advertising as defined in section 304 (b).

(c) **PROCEDURAL REQUIREMENTS.**—Each State regulatory authority (with respect to each gas utility for which it has ratemaking authority) and each nonregulated gas utility, within the 2-year period specified in

standards established by subsection (c) (1), shall, within 1 year after the date of enactment of this Act, determine whether such standards are necessary to protect the public interest and, if so, shall adopt such standards, together with the reasons for such determination. Such statement of reasons shall be available to the public.

SEC. 304. SPECIAL RULES FOR STANDARDS.

(a) **PROCEDURES FOR TERMINATION OF GAS SERVICE.**—The procedures for termination of service referred to in section 303 (b) (1) are procedures prescribed by the State regulatory authority (with respect to gas utilities for which it has ratemaking authority) or the nonregulated gas utility which provide that—

(1) no gas service to a gas consumer may be terminated unless reasonable prior notice (including notice of rights and remedies) is given to such consumer and such consumer has a reasonable opportunity to dispute the reasons for such termination, and

(2) during any period when termination of service to a gas consumer would be especially dangerous to health, as determined by the State regulatory authority (with respect to gas utility for which it has ratemaking authority) or nonregulated gas utility, and such consumer establishes that—

(A) he is unable to pay for such service in accordance with the requirements of the utility's billing, or

(B) he is able to pay for such service but only in installments,

such service may not be terminated.

Such procedures shall take into account the need to include reasonable provisions for elderly and handicapped consumers.

(b) **ADVERTISING.**—(1) For purposes of this section and section 303—

(A) The term "advertising" means the commercial use, by a gas utility, of any media, including newspaper, printed matter, radio, and television, in order to transmit a message to a substantial number of members of the public or to such utility's gas consumers.

(B) The term "political advertising" means any advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matter, or with respect to any controversial issue of public importance.

(C) The term "promotional advertising" means any advertising for the purpose of encouraging any person to select or use the service or additional service of a gas utility or the selection or installation of any appliance or equipment designed to use such utility's service

(2) For purposes of this section and section 303, the terms "political advertising" and "promotional advertising" do not include—

(A) advertising which informs natural gas consumers how they can conserve natural gas or can reduce peak demand for natural gas;

(B) advertising required by law or regulation, including advertising required under part I of title II of the National Energy Conservation Policy Act;

(C) advertising regarding service interruptions, safety measures or emergency conditions;

(D) advertising concerning employment opportunities with such utility.

For purposes of any determination under paragraphs (1) or (2) and any review of such determination in any court in accordance with section 123, the purposes of this title supplement otherwise applicable State law. Nothing in this subsection prohibits any State regulatory authority or nonregulated electric utility from making any determination that it is not appropriate to adopt any such standard, pursuant to its authority under otherwise applicable State law.

(b) **ESTABLISHMENT.**—The following Federal standards are hereby established:

(1) **MASTER METERING.**—To the extent determined appropriate under section 115(d), master metering of electric service in the case of new buildings shall be prohibited or restricted to the extent necessary to carry out the purposes of this title.

(2) **AUTOMATIC ADJUSTMENT CLAUSES.**—No electric utility may increase any rate pursuant to an automatic adjustment clause unless such clause meets the requirements of section 115(e).

(3) **INFORMATION TO CONSUMERS.**—Each electric utility shall transmit to each of its electric consumers information regarding rate schedules in accordance with the requirements of section 115(f).

(4) **PROCEDURES FOR TERMINATION OF ELECTRIC SERVICE.**—No electric utility may terminate electric service to any electric consumer except pursuant to procedures described in section 115(g).

(5) **ADVERTISING.**—No electric utility may recover from any person other than the shareholders (or other owners) of such utility any direct or indirect expenditure by such utility for promotional or political advertising as defined in section 115(h).

(c) **PROCEDURAL REQUIREMENTS.**—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, within the 2-year period specified in subsection (a), shall (1) adopt, pursuant to subsection (a), each of the standards established by subsection (b) or, (2) with respect to any such standard which is not adopted, such authority or nonregulated electric utility shall state in writing that it has determined not to adopt such standard, together with the reasons for such determination. Such statement of reasons shall be available to the public.

SEC. III. LIFELINE RATES.

(a) **LOWER RATES.**—No provision of this title prohibits a State regulatory authority (with respect to an electric utility for which it has ratemaking authority) or a nonregulated electric utility from fixing, approving, or affirming to go into effect a rate for essential needs (as defined by the State regulatory authority or by the nonregulated electric utility, as the case may be) of residential electric consumers which is lower than a rate under the standard referred to in section 111(d)(1).

(b) **DEFERMENT.**—If any State regulated electric utility or nonregulated electric utility does not have a lower rate as described in subsection (a) in effect 2 years after the date of the enactment of this Act, the State regulatory authority having ratemaking authority with respect to such State regulated electric utility or the nonregulated electric utility, as the case may be, shall determine, after an evidentiary hearing, whether such a rate should be implemented by such utility.

(c) **Prior Proceedings.**—Section 124 shall not apply to the requirements of this section.

SEC. 115. SPECIAL RULES FOR STANDARDS.

(a) **COST OF SERVICE.**—In undertaking the consideration and making the determination under section 111 with respect to the standard concerning cost of service established by section 111(d)(1), the costs of providing electric service to each class of electric consumers shall, to the maximum extent practicable, be determined in on the basis of methods prescribed by the State regulatory authority (in the case of a State regulated electric utility) or by the electric utility (in the case of a nonregulated electric utility). Such methods shall to the maximum extent practicable—

(1) permit identification of differences in cost-incurrence for each such class of electric consumers, attributable to daily and seasonal time of use of service and

(2) permit identification of differences in cost-incurrence attributable to differences in customer, demand, and energy components of cost. In prescribing such methods, such State regulatory authority or nonregulated electric utility shall take into account the extent to which total costs to an electric utility are likely to change if—

(A) additional capacity is added to meet peak demand relative to base demand; and

(B) additional kilowatt-hours of electric energy are delivered to electric consumers.

(b) **Time-of-Day Rates.**—In undertaking the consideration and making the determination required under section 111 with respect to the standard for time-of-day rates established by section 111(d)(3), a time-of-day rate changed by an electric utility for providing electric service to each class of electric consumers shall be determined to be cost-effective with respect to each such class if the long-run benefits of such rate to the electric utility and its electric consumers in the class concerned are likely to exceed the metering costs and other costs associated with the use of such rates.

(c) **Load Management Techniques.**—In undertaking the consideration and making the determination required under section 111 with respect to the standard for load management techniques established by section 111(d)(6), a load management technique shall be determined, by the State regulatory authority or nonregulated electric utility, to be cost-effective if—

(1) such technique is likely to reduce maximum kilowatt demand on the electric utility, and

(2) the long-run cost-savings to the utility of such reductions are likely to exceed the long-run costs to the utility associated with implementation of such technique.

(d) **Master Metering.**—Separate metering shall be determined appropriate for any new building for purposes of section 113(b)(1) if—

(1) there is more than one unit in such building,

(2) the occupant of each such unit has control over a portion of the electric energy used in such unit, and

(3) with respect to such portion of electric energy used in such unit, the long-run benefits to the electric consumers in such building exceed the costs of purchasing and installing separate meters in such building.

(e) AUTOMATIC ADJUSTMENT CLAUSES.—(1) An automatic adjustment clause of an electric utility meets the requirements of this subsection if—

(A) such clause is determined, not less often than every 4 years, by the State regulatory authority (with respect to an electric utility for which it has ratemaking authority) or by the electric utility (in the case of a nonregulated electric utility), after an evidentiary hearing, to provide incentives for efficient use of resources (including incentives for economical purchase and use of fuel and electric energy) by such electric utility, and

(B) such clause is reviewed not less often than every 2 years, in the manner described in paragraph (2), by the State regulatory authority having ratemaking authority with respect to such utility (or by the electric utility in the case of a nonregulated electric utility), to insure the maximum economies in those operations and purchases which affect the rates to which such clause applies.

(2) In making a review under subparagraph (B) of paragraph (1) with respect to an electric utility, the reviewing authority shall examine and, if appropriate, cause to be audited the practices of such electric utility relating to costs subject to an automatic adjustment clause, and shall require such reports as may be necessary to carry out such review (including a disclosure of any ownership or corporate relationship between such electric utility and the seller to such utility of fuel, electric energy, or other items).

(3) As used in this subsection and section 113(b), the term "automatic adjustment clause" means a provision of a rate schedule which provides for increases or decreases (or both), without prior hearing, in rates reflecting increases or decreases (or both) in costs incurred by an electric utility. Such term does not include an interim rate which takes effect subject to a later determination of the appropriate amount of the rate.

(f) INFORMATION TO CONSUMERS.—(1) For purposes of the standard for information to consumers established by section 113(b)(3), each electric utility shall transmit to each of its electric consumers a clear and concise explanation of the existing rate schedule and any rate schedule applied for (or proposed by a nonregulated electric utility) applicable to such consumer. Such statement shall be transmitted to each such consumer—

(A) not later than 60 days after the date of commencement of service to such consumer or 90 days after the standard established by section 113(b)(3) is adopted with respect to such electric utility, whichever last occurs, and

(B) not later than 30 days (60 days in the case of an electric utility which uses a bimonthly billing system) after such utility's application for any change in a rate schedule applicable to such

consumer (or proposal of such a change in the case of a regulated utility).

(2) For purposes of the standard for information to consumers established by section 113(b)(3), each electric utility shall transmit each of its electric consumers not less frequently than once each year

(A) a clear and concise summary of the existing rate schedule applicable to each of the major classes of its electric consumers which there is a separate rate, and

(B) an identification of any classes whose rates are summarized.

Such summary may be transmitted together with such consumer billing or in such other manner as the State regulatory authority nonregulated electric utility deems appropriate.

(3) For purposes of the standard for information to consumers established by section 113(b)(3), each electric utility, on request of electric consumer of such utility, shall transmit to such consumer clear and concise statement of the actual consumption (or degree-adjusted consumption) of electric energy by such consumer for a billing period during the prior year (unless such consumption data not reasonably ascertainable by the utility).

(g) PROCEDURES FOR TERMINATION OF ELECTRIC SERVICE.—The procedures for termination of service referred to in section 113(b)(4) procedures prescribed by the State regulatory authority (with respect to electric utilities for which it has ratemaking authority) or by nonregulated electric utility which provide that—

(1) no electric service to an electric consumer may be terminated unless reasonable prior notice (including notice of rights, remedies) is given to such consumer and such consumer has reasonable opportunity to dispute the reasons for such termination, and

(2) during any period when termination of service to an electric consumer would be especially dangerous to health, as determined by the State regulatory authority (with respect to an electric utility for which it has ratemaking authority) or nonregulated electric utility, and such consumer establishes that—

(A) he is unable to pay for such service in accordance with the requirements of the utility's billing, or

(B) he is able to pay for such service but only in installments.

Such service may not be terminated.

Such procedures shall take into account the need to include reasonable provisions for elderly and handicapped consumers.

(h) ADVERTISING.—(1) For the purposes of this section and section 113(b)(5)—

(A) The term "advertising" means the commercial use, by electric utility, of any media, including newspaper, printed matter, radio, and television, in order to transmit a message to a substantial number of members of the public or to such utility's electric consumers.

(B) The term "political advertising" means any advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters, or with respect to a controversial issue of public importance.

PUBLIC SERVICE COMMISSION 1227 11th Avenue • Helena, Montana 59601
Telephone: (406) 449-3007 or 449-3008

Gordon Bollinger, Chairman
J. Gilfeather
James R. Shea
George Turman
Thomas J. Schneider

February 8, 1978

TO: Interested Persons

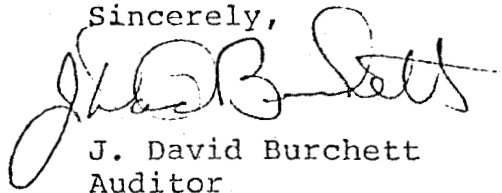
The Montana Public Service Commission has scheduled an informal conference concerning utility disconnection procedures for March 3, 1978. The conference will commence at 10:00 A.M. in the Montana Public Service Commission Conference Room located at 1227 11th Avenue, Helena, Montana.

Enclosed herein is a copy of the proposed utility disconnection procedure, developed by the Utility Division. The Commission urges a review of this proposal, to enable the conference to be both profitable and informative.

All interested persons are invited to attend, and express their ideas and suggestions, either personally or in writing.

Thank you for your time and interest.

Sincerely,



J. David Burchett
Auditor

dc

Encl.

PROPOSED GAS & ELECTRIC UTILITY
TARIFF DISCONNECT PROVISIONS

I. Reasons for Disconnect--Residential Service

A. Delinquent Bills

Individually metered residential service accounts will be considered delinquent and be subject to these disconnect practices and procedures for non-payment, if for any given bill containing a previously outstanding bill for utility service, no payment or arrangements for payment have been made, by the due date. No disconnect may be made, however, while the propriety of a bill is being investigated at the request of either the customer or the Commission staff. The minimum payment necessary in order to avoid the disconnection procedures shall not be greater than that portion of the bill that represents a previous balance.

II. Disconnect Procedures

A. If it is determined that a residential customer is delinquent in rendering payment for service, the company may, after proper and reasonable notice (not less than ten working days) disconnect the customer's service in compliance with the following conditions:

1. No disconnects may be made for other than safety reasons or at the customer's request except during normal utility business hours--8:00 a.m. to 5:00 p.m., Monday through Friday.
2. No delinquent bill disconnections may be made after 12:30 p.m. on Friday or the day preceding an area bank or company holiday.
3. The utility shall provide appropriate procedures to ensure a personal contact with the delinquent customer prior to disconnection. The utility will provide the appropriate County Welfare Department, or agency designated by the County Commissioners, with a listing of those customers who face impending disconnection on the day preceding the disconnection. The utility shall then notify the designated agency that the disconnection has been completed within 24 hours following such action.
4. At the customer's request, the utility must provide for notification of a third party, with such party's written authorization, in addition to the County Welfare Department (or other designated agency).

Such additional notification by the utility will be given by forwarding a duplicate copy of the "final notice" to the designated third party.

5. Those utility employees actually performing the disconnect shall be authorized to accept payment in lieu of disconnection. Those employees, however, need not be authorized to make any extended payment arrangements.

Each company shall have on file with The Public Service Commission one copy of its most current standard practices and procedures for disconnection, including the applicable disconnect and reconnect charges.

III. Reconnection Of Service

A. Reinstitution of residential service that has been disconnected for delinquent bills or that is subject to the company's disconnect procedures should be made pursuant to the following provisions:

1. Upon payment or proof of payment for service that was previously disconnected, reinstatement of service shall be made by the close of the following regular utility working day.
2. If service is discontinued and the customer wishes to guarantee the reinstatement of service the same day on which payment is rendered the following conditions must be met.
 - a. The customer must make payment in the utility business office, or provide proof of payment, and notify the utility no later than 12:30 p.m. that reinstatement of service is requested the same day.
 - b. The customer must sign an agreement to pay the additional utility-incurred cost for reinstatement of service if such occurs after normal utility business hours. That charge shall be contained in the standard procedures on file with the Commission. This fee shall be collected at the time of payment or rendered with the customer's next monthly billing, at the utility's discretion.
3. These reconnection procedures are subject to the Commission's rules on customer deposits and the furnishing of a guarantor to assure payment.

IV. Payment Arrangements and Responsibility

A. The customer must be notified that the utility, upon contact by a customer whose account is delinquent or desires to avoid delinquency, shall make extended payment arrangements appropriate for both the customer and the utility. The company may exercise discretion in the implementation of such an arrangement, including uniform payment or budget plan billing based on reasonable criteria, including:

- a. The amount of the delinquent account.
- b. Length of time that the balance has been outstanding.
- c. Consumer's recent payment history.
- d. Reasons why payment has not been made.
- e. Any other relevant factors concerning the circumstances of the consumer including health and age.

B. Any extended payment plan is subject to the review of the Public Service Commission staff upon the request of either the customer or the utility company.

V. Special Considerations

A. Special consideration should be given by the utility to protection of individuals whose utility services are included in rental payments. In the case of the property owner failing to pay for utility service rendered, the company must, prior to disconnection, provide written notice of the impending disconnection to the tenants. The tenants may ensure the continuation of utility service by paying the current month's bill. The burden of any arrearage collection remains with the utility and the tenants may exercise such legal remedies as are available to them. Amounts sufficient to cover the current billing must be rendered to the utility, as opposed to being placed into an escrow account. The utility is under no obligation to accept payment from each individual tenant, but rather from one representative acting on behalf of all tenants. One payment should be issued from the tenants to the utility and one receipt should be issued by the utility to the tenants.

RECEIVED



JAN 3 1978

CUT BANK, MONTANA 59427

J. D. MEAGHER
VICE PRESIDENT - MANAGER

December 29, 1977

William J. Opitz, Executive Director
Public Service Commission
1227 - 11th Avenue
Helena, Montana 59601

Dear Mr. Opitz:

Your letter of December 22, 1977, regarding termination of utility service for non-payment of bills is acknowledged.

In the January Executive Committee meeting of the Cut Bank Gas Company we will discuss this matter and, in all probability, adopt some sort of formalized policy regarding this subject matter.

Cut Bank Gas Company's policy always has been not to deprive any person of necessary utility services under circumstances that would endanger either the health or the property of the customer. However, even in a small town, it is difficult at times to ascertain whether or not a non-paying customer is actually occupying the place where the service is supplied. Many of these types of customers are semi-transient, and in quite a number of situations, the customer will move from the premises, not notifying the gas company, and the property will continue to use gas. In such a situation, a problem is presented as to whether or not gas service should be discontinued.

Another problem of course presents itself. During the winter, when the gas bills are high, if the bills are unpaid during the winter months then, by spring, an amount which is almost unpayable has been accrued. This simply means that the account becomes uncollectible and the other customers of the gas company are going to have to bear their share of this particular burden. Our experience hasn't been that bad, but once a policy is announced either by the Public Service Commission, or other people in authority, inferring that non-payment of bills is going to be tolerated, you will find the incidence of non-payment ever increasing.

William J. Opitz, Executive Director
Public Service Commission
December 29, 1977
Page 2

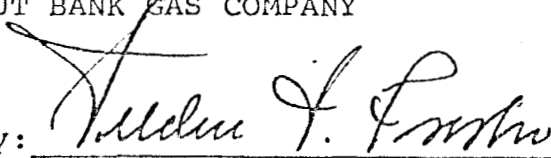
One further thing the Public Service Commission might consider would be a "surcharge" of, say, 1% of the total billing for a specified period of time, and that 1% would be placed in a separate bookkeeping fund to be utilized for the payment of bills in the situations about which the Public Service Commission is concerned. In other words, a "slush fund" would be set aside from a surcharge and that "slush fund" would be used for the payment of the types of bills with which you are concerned. Such a procedure would, in effect, create a reserve for bad debts which would be a cash reserve and which could be used by the utility to defray the type of expense about which you are talking.

In any event, you will hear from me further after the Executive Committee meeting in January.

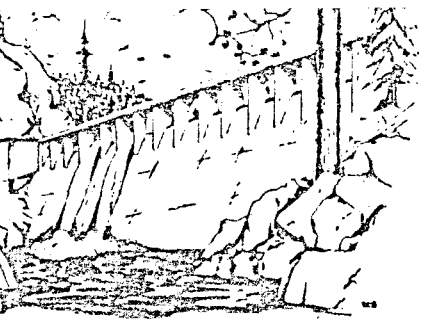
Yours very truly,

CUT BANK GAS COMPANY

By:


Selden S. Frisbee, Secretary

SSF/hl



Montana Light & Power Co.

"YOUR PROGRESSIVE ELECTRICAL SERVICE"

P.O. BOX VX
LIBBY, MONTANA 59923

January 6, 1978

Mr. William J. Opitz, Executive Director
Public Service Commission
1227 11th Avenue
Helena, Montana 59601

RECEIVED

JAN 10 1978

MONT. P. S. COMMISSION

Dear Mr. Opitz:

Your letter of December 22, 1977, regarding the termination of vital services to utility customers during winter months has been studied at length to determine if a change in Montana Light and Power Company policy is necessary.

Montana Light and Power Company is a comparatively small utility service with some 630 metered customers. The procedure for delinquent accounts is as follows:

After the first month's bill is not paid, the next month's bill will carry a delinquent notice. If the bill is unpaid at the next billing date, a second notice of delinquency goes out with that bill and a 10-day period is given to allow payment to be made. At the end of that 10-day period if no payment is received or a promise to pay is forthcoming, a personal visit is made to the individual concerned. If the affected person is not at home or his whereabouts is unknown by his neighbors, the door is tagged with the upcoming cut-off date. If no personal contact is made, no cut-off is made. A period of no less than 70 days elapses from the first delinquency notice and the personal contact which normally results in payment, a partial payment, or mutually acceptable promise to pay.


Inasmuch as the Montana Light and Power Company distribution is so small, each customer's economics is pretty well known by the utility management, which permits compassion to be exercised where necessary. The cut-off or service terminations on the system do not exceed four per year and these are not during winter months. It must be remembered generally on this system, a service terminated affects lights, water and heat.

The utility management works closely with the County Welfare Department since that department does not approve of paying an accumulated bill.

Page 2.
1/6/78

It is felt that it is not in the best interest of all concerned to be required by law to follow a notification procedure to local government agencies on delinquent accounts.

Sincerely yours,


Douglas Kilner
Resident Manager

DK:lc

*150 East 42nd Street
New York 17, N.Y.*

Please Reply to Suite 3913

January 9, 1978

Mr. William J. Opitz
Executive Director
Montana Public Service Commission
1227 11th Avenue
Helena, Montana 59601

RE: Procedure for Termination of Utility Services

Dear Mr. Opitz:

Thank you very much for your letter of December 22, 1977 in which you ask Montana Light & Power to submit information that would be helpful to the Commission in formulating a termination procedure. I have requested the Libby office of Montana Light & Power to send you the procedure which Montana Light & Power follows in the event that electricity to one of its customers must be terminated due to non-payment of bills. You should receive this information by January 13. I have also asked the Libby office to forward information to Mr. J. David Burchett.

Thank you very much for giving Montana Light & Power the opportunity to participate with the other utilities in this rule making procedure.

Sincerely yours,

Peggy W. Dobbins

Peggy W. Dobbins
Attorney

PWD:jf

cc: Mr. D. Kilner, Treasurer
Montana Light & Power
Libby, Montana

RECEIVED

JAN 12 1978

MONT. P. S. COMMISSION

PACIFIC POWER & LIGHT COMPANY

920 S.W. SIXTH AVENUE • PORTLAND, OREGON 97204 • (503) 243-1122

C. P. Davenport
Vice President

January 9, 1978

RECEIVED

JAN 11 1978

MONT. P. S. COMMISSION

Public Service Commission of the
State of Montana
1227 - 11th Avenue
Helena, Montana 59601

Attention: Mr. William J. Opitz
Executive Director

Gentlemen:

The following is offered with regard to your December 22, 1977 letter soliciting utility comments regarding staff efforts to address the possible life-threatening aspects of terminating essential utility service for nonpayment of bills. This has to concern us all as human beings, and we agree totally with your statement that "the value of a single account receivable pales in relation to the value of a human life."

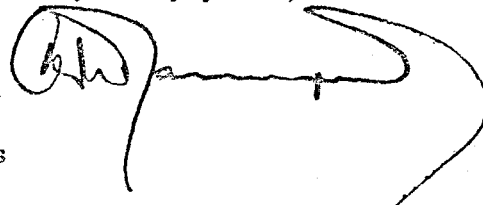
Electric utilities are certainly not alone when it comes to balancing sound financial management against providing essential goods and services to persons of limited means. We know there are persons receiving inadequate medical help, inadequate nutrition, inadequate housing, or inadequate transportation because of personal circumstances over which they have little or no control. All of these situations can be life-threatening, and it's always disheartening to learn of those few sad circumstances where the efforts of many conscientious people sometimes fail and a death occurs.

Pacific Power & Light Company, its management and employees are individually and collectively involved at many different levels in social service activities. Our employees are concerned citizens of the communities in which they live and that concern does not stop when they arrive at the office or climb into a service truck. Our operating philosophy has always been to make every reasonable attempt to work out a solution to a payment problem so that ongoing service can be provided rather than to simply terminate service for nonpayment.

Although our written procedures for disconnects due to nonpayment are quite explicit, they are, frankly, interpreted and implemented by our operating personnel to give the customer every benefit of doubt and consideration and recognize those circumstances which at times may well be beyond his control. Accordingly, I believe we can assure you that because of the understanding and attitude of our employees regarding these policies and their desire to not only provide good service, but also understand the personal circumstances of our customers, that the chances of a tragedy occurring are minimized to the best of our abilities.

We look forward to working with you and your staff in considering rules and procedures with regard to this matter.

Very truly yours,



CPD:hh

cc: Mr. D. C. Frisbee

Montana District, Local & Office Managers

CONSUMERS GAS COMPANY

407 GREAT FALLS NATIONAL BANK BUILDING

GREAT FALLS, MONTANA

January 11, 1978

Mr. William J. Opitz
Executive Director
Montana Public Service Commission
1227 11th Avenue
Helena, Montana 59601

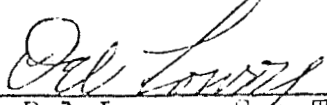
Dear Bill:

We wish to acknowledge receipt of your letter of Dec. 22, 1977 in regard to termination of gas service to customers during the winter months. For your information it has been our policy for the last thirty years to not cut off customers during the winter. I believe we can live with any rule the Commission might come up with.

In the event you require further information, please call me at home any afternoon, phone 452-1378.

Sincerely yours,

CONSUMERS GAS COMPANY


By Del Lowry, Sec. Treas.

RECEIVED

JAN 12 1978

MONT. P. S. COMMISSION

LAW OFFICES OF
LOBLE, PAULY, HARLEN, PICOTTE & NORRIS, P.C.

833 NORTH LAST CHANCE GULCH

P.O. BOX 176

HELENA, MONTANA 59601

HENRY LOBLE
LESTER H. LOBLE II
PETER C. PAULY
ADA J. HARLEN
C. BRUCE LOBLE
CARTER N. PICOTTE
JAMES L. NORRIS

TELEPHONE (406) 442-0070

January 13, 1978

William J. Opitz, Administrator
Utility Division
Department of Public Service Regulation
1227 Eleventh Avenue
Helena, Montana 59601

Dear Mr. Opitz:

This is in response to your letter regarding public utility dis-connection procedures of December 22, 1977.

Please be advised that my client, Montana-Dakota Utilities Co., is agreeable to following the procedure outlined in your letter. In addition, MDU is willing to notify the Public Service Commission as well as the sheriff (or other government official) when it plans to disconnect a customer for nonpayment of his utility bill.

Very truly yours,

Lester H. Loble II

Lester H. Loble, II

RECEIVED

JAN 16 1978

LHL/dm

MONT. P. S. COMMISSION

cc: C. Lowell Gamble

*Joyce -
a for the "termination
file."
B*

William J. Opitz--page 2

Should you have further questions, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Landguth".

Daniel P. Landguth
Manager Rates

DPL:bg

cc: Larry Owen
George Locke
Dint Furois
Mahlon Alden

GREAT FALLS GAS COMPANY

P.O. Box 2229 • Great Falls, Montana • 59403

Earle E. Garrison

Chairman of the Board
and President

January 10, 1978

RECEIVED

JAN 11 1978

MT. P. & COMMISSION

Mr. William J. Opitz
Montana Public Service Commission
1227 - 11th Avenue
Helena, Montana 59601

Dear Mr. Opitz:

We offer the following comments in response to your communication of December 22, 1977 regarding termination of utility service due to the non-payment of an account.

It would appear that any fixed set of regulations adopted by the Commission and designed to control the actions of a utility in this regard would be both cumbersome and unworkable. In our opinion it would be much more effective for each utility to develop an internal policy capable of coping with the problem which is also satisfactory to the Commission. Thus the problems that are indigenous to various communities could be resolved.

The Great Falls Gas Company has developed an internal policy and procedure for our service area and we have found these procedures to be both practical and successful. Our policy dictates that we refrain from discontinuing a customer's service during severe periods of weather to enforce the payment of an overdue account. However, that policy does not deny the right of discontinuance under certain circumstances, such as:

1. Installation of a By-Pass: We are locating an increasing number of fraudulent devices installed by the customer to avoid payment for natural gas used. In this circumstance it is our policy to immediately discontinue natural gas service, remove the device and proceed to seek recourse through legal action. We anticipate locating many more of these fraudulent devices as the cost of gas service continues to climb.
2. On occasion a customer will depart an address or move into an address without giving us notice or making an application for service. In such an instance we do our best to make contact, either personally or by mail, to determine the circumstances and responsibility. After a determined effort has been made and, no contact is forthcoming, service is then discontinued.

January 10, 1978

We believe that the notice requirement for termination of service should not apply to these circumstances.

There are a number of considerations which any proposed regulation should meet, such as:

1. A sizable number of our meters are still located inside the customer's home and where no outside riser is in existence it requires different handling than it would where the meter, regulator and cutoff is located outdoors.
2. It is our policy to be both reasonable and understanding, working closely with any customer who indicates the willingness and desire to meet his obligations and the customer is permitted to resolve that indebtedness in any reasonable manner. Those customers who, after being provided ample opportunity, refuse to work conjunctively with the utility or take any action toward resolving the overdue account must be subject to service disconnection at the discretion of the utility. Otherwise, the utility is completely at the customer's mercy as to when (if ever) payment will be made.
3. Malmstrom Air Force Base is located in our service area and the constant movement and relocation of personnel causes us many problems that other utilities in the state may not have. The Air Force refuses to assist us in any way and this position makes it very difficult for us to maintain control over the many military accounts we serve. The possibility of the loss of service is one of the means by which collections can be made.
4. The circumstances of our company serving a very limited area makes it most difficult to enforce collection from a customer who has departed our service area. If our collection efforts fail we have little choice but to turn the account to a collection agency. If this is necessary then we will only recover half of the amount the agency collects and even if they are able to collect the entire amount the amount we recover will not pay for our cost of gas provided to the customer, not to mention the costs incurred in providing the service or our own collection efforts.

As the cost of natural gas continues to climb we are experiencing more and more difficulty in the collection of past due accounts. Our annual "bad debt" figure gets larger each year causing both the Utility and the Commission added problems, problems that eventually must be passed on to the customers who are doing their best to pay their accounts.

Commissioner Schneider's suggestion that the utility notify the responsible governmental agencies, prior to the discontinuance of service, has merit. To this suggestion needs to be added "notification to the property owner". From our standpoint it would be a more workable solution if that responsibility dealt with only one agency rather than having to notify

January 10, 1978

several. Also since many of our past due accounts are not on welfare we are concerned as to the position this may place us in as regards "an invasion of privacy". Customers could become quite upset over wide notification of their inability or unwillingness to pay an overdue account.

We have been concerned for some time as to the proper degree of notice to be made prior to a discontinuance of service. There are circumstances where "Personal Contact" is not permitted by the customer and while "eye-ball to eye-ball confrontation" is preferable other means must be available to the utility. Where "Personal Contact" is denied, alternate methods such as "Certified Mail" or "Posting on the Premises" needs to be permitted as an acceptable and satisfactory substitute.

The adoption of a rule which would deny the utility the right of discontinuance of service during a specific time period would further destroy the utilities' ability to collect for service rendered. Such a restriction if adopted needs to be related to temperature levels, not to a calendar. The utility has to be provided latitude in which to operate permitting it to take whatever action is necessary but only after full consideration has been given to weather factors, property damage, health factors and the attitude and response of the customer involved.

Our Company does not presently discontinue gas service to a customer to enforce payment during severe periods of weather. We hope to continue this policy.

The Commission proposes to hold a public hearing on this matter in late January of 1978. Our Company will plan to have personnel in attendance and will work closely with the Commission in attempting to resolve this important segment of our operations.

Respectfully,

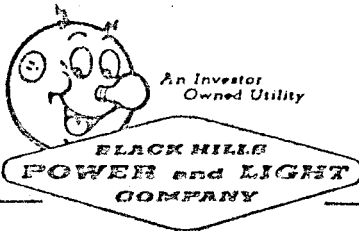
GREAT FALLS GAS COMPANY



Earle E. Garrison

Chairman of the Board and President

EEG/hw



SERVING IN SOUTH DAKOTA, WYOMING AND MONTANA

P.O. BOX 1400 RAPID CITY, SOUTH DAKOTA - 57701..... AREA CODE 605... TEL. 348-1700

RECEIVED

JAN 23 1978

January 19, 1978

MONT. P. S. COMMISSION

MONT. P. S. COMMISSION

William J. Opitz
Executive Director
Montana Public Service Commission
1227 11th Avenue
Helena, Montana 59601

Dear Mr. Opitz:

This is in response to your inquiry regarding our Company policy regarding disconnection of electric service during the winter months. Black Hills Power and Light Company follows the same policy as approved by the South Dakota Public Utilities Commission in the State of Montana.

The general rule is as follows:

Bills become delinquent if not paid within fifteen (15) days of the notice of the bill. Service may be dis-connected upon ten (10) days written notice to the customer, in the months April through October and forty (40) days written notice to the customer in the months of November through March.

It has always been our Company's unwritten policy never to discontinue service if the customer shows good faith and contacts us.

Generally delinquency is a minor problem to us in Montana since we have only 59 residential customers. However, it has been our experience in our other jurisdictions that some customers seem to take advantage of the rule during the winter months when the policy becomes known to them. We have seen our total company delinquency rate more than double during the winter months and it has been our experience that those who are delinquent are those who are not necessarily unable to pay.

MONTANA DISCONNECT PROCEDURES

- (a) 1. Bills are due and payable monthly at the office or authorized pay-station of the Company not later than fifteen (15) days after date of transmittal and become delinquent after this date.
- (b) 2. Before service to a delinquent account is disconnected for nonpayment, Company will provide customer a written notice of such pending disconnection. Date of disconnection will not be less than eight (8) days after mailing the notice.
3. Before effecting disconnection of service to a delinquent account, Company will make a good faith effort to reach the customer by telephone or in person to advise customer of pending disconnection.
4. If unable to contact the customer, Company will not disconnect service but will leave a door hanger notice on the premises notifying the customer of the impending disconnection and of the amount due and extended date of payment an additional day. If payment is not received another attempt will be made to contact customer by telephone or in person before service is disconnected.
5. If customer is unable to make full payment, Company will accept partial payment of at least one-third of the amount owing with a written agreement to pay the balance over a period of time not to exceed two (2) months providing current billings are paid when due.
6. After contacting the customer if the amount due still remains unpaid and if arrangements for deferred payment cannot be agreed upon, the customer will be asked if termination of service would cause loss of critical life sustaining devices, i.e., respiratory machine, kidney dialysis, etc., or if there is any critical illness or personal tragedy which customer feels should defer disconnection of service. If such condition is indicated, Company will provide a form for customer to sign to defer termination of service for five (5) work days and which will request Company to contact a specified third party (welfare agency, relative, neighbor, etc.), regarding the delinquent account. If no critical life sustaining device, critical illness or personal tragedy is indicated and payment is not made or partial and deferred payment arranged, Company may terminate service.
7. If all attempts to contact the customer fail and Company is not notified or otherwise aware of any life threatening situation, service may be terminated.

8. During the Winter months from October 15 through April 15 after exhausting the above-described methods of attempting to contact the customer, the Company will notify the Commission of each such case and of all attempts made to contact the customer and of Company's intent to discontinue service. The date of termination will be extended to a date seven (7) days from the mailing of such notification.
9. Disconnection of service to a delinquent account will not be made on a Bank or Company holiday or a weekend, or after 12:30 p.m. of the day preceeding holidays or weekends, except for safety or at customer's request.
10. Service will be restored after disconnection for nonpayment upon payment of the total amount due plus a charge to partially cover the costs incurred in effecting reconnection. The amount of said charge will be \$8.00 if reconnection is completed during the Company's regular working hours or \$16.00 if reconnection is completed during other hours.

(c)

NOTE: Underlined Content are practices not presently included in Pacific's Procedures.

FOOTNOTE: (a) Pacific's present procedure is 10 days.

(b) Pacific's present procedure is 3 days.

(c) Pacific's present reconnection charges are \$5.00 and \$8.00.

RECEIVED

PACIFIC POWER & LIGHT COMPANY

920 S.W. SIXTH AVENUE • PORTLAND, OREGON 97204 • (503) 243-1122

FEB 14 1978

MONT. P. S. COMMISSION

C. P. Davenport
Vice President

February 9, 1978

Montana Public Service Commission
1227 Eleventh Avenue
Helena, Montana 59601

Attention: Mr. William J. Opitz
Executive Director

Gentlemen:

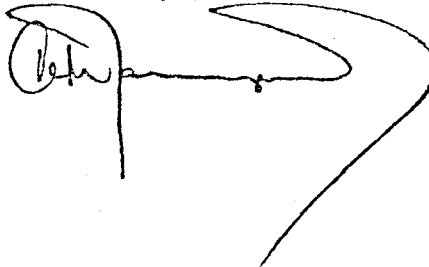
This letter is in further response to the rule-making process initiated by the Montana Public Service Commission to revise the Montana Administrative Code concerning disconnect practices. Our previous comments were set forth in my letter of January 9, 1978.

Pacific's low incidence of both customer complaints related to disconnect activity and the number of actual disconnects, we believe, reflects our practices of giving consideration to the customer's individual circumstances well beyond the stated requirements of existing rules. Accordingly, it appears appropriate that we outline our normal procedures for your consideration in developing a proposed modification of the existing Administrative Code. The attached exhibit, "Montana Disconnect Procedures," outlines Pacific's more liberal procedures with the exception that, as indicated, certain other provisions have been included which may serve to further accomplish the Commission's intended content of revised rules.

We believe that the practices outlined in the attached exhibit are reasonable and would effectively achieve results consistent with the indicated purpose for developing new rules. Accordingly, Pacific would be willing to formally incorporate such provisions within its tariffs.

Please let either Mr. J. F. Pienovi or the undersigned know if any additional information or clarification of the Company's position would be helpful.

Very truly yours,



CPD:hh
Attachment

LAW OFFICES OF
**CHURCH,
HARRIS,
JOHNSON &
WILLIAMS**

I.W. CHURCH (1894-1972)
G.G. HARRIS (1893-1973)
BJARNE JOHNSON
CARTER WILLIAMS
WM. A. REID
DALE FORBES
CRESA P. MCCracken
CHARLES C. LOVELL
DOUGLAS C. ALLEN
MILTON O. WOODAL
RICHARD F. GALLAGHER
DON A. LADAR
EARL J. HANSON
ROBERT P. GOFF
H. KEITH STROM
W. BJARNE JOHNSON

MICHAEL B. ANDERSON

P.O. BOX 1645 • GREAT FALLS, MONTANA 59403 • THIRD FLOOR NORTHWESTERN BANK BUILDING • PHONE (406) 761-30

March 2, 1978

Public Service Commission
1227 11th Avenue
Helena, Montana 59601

RECEIVED

MAR 6 1978

MONT. P. S. COMMISSION

Re: Gas Cut-off - Consumers Gas

Gentlemen:

We are writing to you concerning your recent circulation of a proposed regulation concerning utility service cutoff to non-paying customers. For a small company like Consumers Gas the extent of the proposed procedure seems very burdensome and disproportionately complex. A small company such as Consumers Gas has always followed the practice of continuing service until the person concerned has been personally visited by the company's employee; and further, great consideration is given to the consumer's circumstances.

We would therefore respectfully suggest that for smaller companies having limited numbers of consumers, a much less complex format should be considered and attempted. It would seem almost patently unfair to equate a small company with those having hundreds or even thousands of customers.

Respectfully submitted,

CHURCH, HARRIS, JOHNSON & WILLIAMS

BY: 

WM. A. REID

WAR:ez

cc: Mr. E. Don Coolidge
Mrs. Destie Lowry
Sharon Dewey

Disconnection Date.



THE MONTANA POWER COMPANY
GENERAL OFFICES: 40 EAST BROADWAY, BUTTE, MONTANA 59701. TELEPHONE 406/723-5421

JOHN J. BURKE
VICE PRESIDENT

January 19, 1978

Mr. William J. Opitz
Executive Director
Utility Division
Department of Public Service Regulation
1227 Eleventh Avenue
Helena, MT 59601

Dear Mr. Opitz:

As a result of your request for our statement of internal Company policy on suspension of utility service for nonpayment, we conducted a thorough review of our existing practices and submit for consideration of the Commission the program we will be using throughout our system from now on. I trust that my delay in responding to your December 22 request will be excused in light of our sincere desire to test all of our methods for collection of utility bills.

The explicit procedure for suspension of residential service in these circumstances, as set forth in the approved tariff regulations, is necessarily the governing standard. Thereunder utility service may be disconnected for nonpayment, upon not less than 72 hours' notice in writing, following reasonable attempts to effect collection or settlement.

Under our current practice, the employees of the Company are being instructed to take the following steps regarding suspension of service for nonpayment of residential accounts. The procedure will now include a reminder when the account is 60 days past due and the use of certified mail delivery of the notice of suspension thereafter.

The steps resulting in suspension of residential service are to be as follows:

1. When a residential customer is seriously in arrears and collection efforts have failed, a letter notice of suspension of utility service will be sent to the customer by certified mail, return receipt requested. This notice informs the consumer that, unless payment or arrangement for payment of the balance due is made within five days of the date of delivery of the notice, as shown on the return receipt, the utility service will be disconnected.

In this letter we attempt to make it clear that the Company will accept reasonable arrangements for the payment of the bill over time, and provide the address and telephone number of the Company's local office where payment, or such arrangement for payment should be made. Moreover, we advise these customers about the availability, to

Mr. William J. Opitz
January 19, 1978
Page Two.

qualified persons, of assistance in payment of utility bills through the welfare authorities.

2. If the letter notice is returned undelivered, then the consumer will be personally contacted and presented the notice.

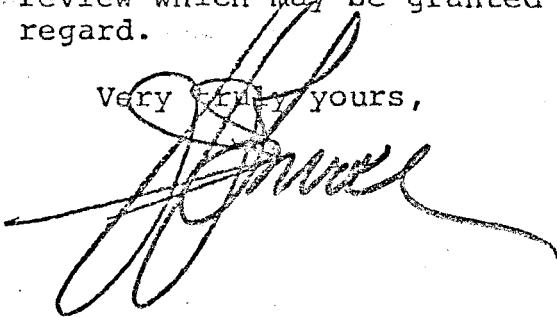
3. If, by the sixth day following receipt of the notice, the consumer has not paid or made arrangements to pay the amount due, instructions to disconnect the service will be issued. The employee making the disconnection will leave on the premises a notice informing the consumer of the address and telephone number of the Company office where arrangements can be made for reconnection and again advising that welfare assistance is available for qualified persons. Also, the employee, before making the disconnection, is expected to make every reasonable effort to determine that the disconnection will not cause undue hardship. When undue hardship is discovered, or brought to our attention by public authorities, service is restored until some form of relief can be provided.

Two circumstances bear significantly on the disconnection for nonpayment. First, the Company continues to accept reasonable arrangements for the payment of utility bills - a factor which could eliminate many service suspensions if the consumer takes advantage of it. The primary problem is that consumers repeatedly ignore this opportunity. Second, it is an unhappy fact that a majority of the suspension notices are sent to consumers who consistently fail to pay their bills.

At the risk of discriminating against the vast majority of consumers who regularly pay their utility bills, the Company endeavors to use compassion in its collection efforts. Our employees share the concern that human life shall not be placed in jeopardy by virtue of a suspension of utility service at any time, and not merely at a time of severe winter weather.

It is our sincere hope that the foregoing procedure will enable us to achieve these objectives, but it must be monitored closely throughout the coming months to see if it is working satisfactorily. We appreciate the opportunity provided by the Commission to set forth this policy and welcome any further review which may be granted to clarify our business practices in this regard.

Very truly yours,



JJB/pg

cc: A. C. Ducich, Butte Division Manager
C. L. Belden, Billings Division Manager
G. H. Van Noy, Bozeman Division Manager
L. G. Brewer, Great Falls Division Manager
W. F. Headapohl, Helena Division Manager
D. M. Leuschen, Missoula Division Manager

December 22, 1977

Mr. J. J. Burke
Vice President
The Montana Power Company
40 East Broadway
Butte, MT 59701

Dear Mr. Burke:

On Monday, December 19, 1977, the Montana Public Service Commission made the following minute entry relevant to termination of utility services during the period October 15 through April 15:

(1107) In the matter of the Utility Engineer's report concerning the termination of vital services during the winter months; Commissioner Schneider moved that the staff be directed to prepare a proposed rule making procedure which would require notification of the sheriff and other responsible government agencies prior to termination of service (staff would be authorized to hold conferences with low income groups, welfare, etc. for proposals) and the proposed rule would be sent to all gas and electric utilities affected for comment and Commissioner Gilfeather seconded the motion which passed unanimously.

Commissioner Shea moved that a letter be drafted to the utilities encouraging a definite internal policy on termination be adopted in the interim and Commissioner Gilfeather seconded the motion which passed unanimously.

This action was taken as a result of an investigation conducted by the staff of the Commission into the circumstances surrounding the death of a Milltown man during the month of November, 1977.

Mr. J. J. Burke
December 22, 1977
Page 2

In order to implement the first portion of the motion, it is the intention of the staff to proceed on an informal basis to solicit input from interested parties in the formulation of said rule.

The interim action of utilities adopting an internal policy seems the most expeditious and responsible way of solving a problem common to all utilities. The Commission does not endorse the concept that a just and reasonable utility bill does not have to be paid. On a list of priorities, however, non-payment of accounts receivable pales in relation to any termination policy which would threaten human life.

Your prompt attention to this matter is strongly encouraged and the Commission awaits your reply.

Sincerely,

William J. Opitz
Executive Director

dc

Community Services Administration

Region VIII
Federal Bldg., 1961 Stout St.
Denver, Colorado 80294

JAN 24 1979

TO: SEOO Directors and CAP Directors

The FY 1979 Community Services Administration (CSA) Crisis Intervention Program is currently being implemented. The following policy clarifications are provided for your information and use:

1. The rules governing the 1979 Program to assist low income households that experience winter and energy related emergencies that endanger health and survival, requires that the program operators "exhaust other service possibilities before approving fuel bill payments for any (eligible) household, and the household must be facing actual shut-off prior to such payment".

2. CSA is fully supportive of the policy recently enacted under the Public Utility Regulatory Policies Act (PURPA) which encourages "adoption of utility shut-off moratoriums during cold weather months". The fact that this CSA program provides for utility payments for low income households that are faced with shut-offs, should not be a factor when consideration of a moratorium is being made at the State level.

3. "Under the rules governing the allocation of funds (for this program) the presence or absence of a moratorium will have no affect on the amount received by a State, area within a State, or any grantee."

Your successful implementation of this program will be a real and direct benefit to the low income citizens of your area.



DAVID E. VANDERBURGH
Regional Director

For purposes of any determination under paragraphs (1) or (2) and any review of such determination in any court in accordance with section 123, the purposes of this title supplement otherwise applicable State law. Nothing in this subsection prohibits any State regulatory authority or nonregulated electric utility from making any determination that it is not appropriate to adopt any such standard, pursuant to its authority under otherwise applicable State law.

(b) **ESTABLISHMENT.**—The following Federal standards are hereby established:

(1) **MASTER METERING.**—To the extent determined appropriate under section 115(d), master metering of electric service in the case of new buildings shall be prohibited or restricted to the extent necessary to carry out the purposes of this title.

(2) **AUTOMATIC ADJUSTMENT CLAUSES.**—No electric utility may increase any rate pursuant to an automatic adjustment clause unless such clause meets the requirements of section 115(e).

(3) **INFORMATION TO CONSUMERS.**—Each electric utility shall transmit to each of its electric consumers information regarding rate schedules in accordance with the requirements of section 115(f).

(4) **PROCEDURES FOR TERMINATION OF ELECTRIC SERVICE.**—No electric utility may terminate electric service to any electric consumer except pursuant to procedures described in section 115(g).

(5) **ADVERTISING.**—No electric utility may recover from any person other than the shareholders (or other owners) of such utility any direct or indirect expenditure by such utility for promotional or political advertising as defined in section 115(h).

(c) **PROCEDURAL REQUIREMENTS.**—Each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility, within the 2-year period specified in subsection (a), shall (1) adopt, pursuant to subsection (a), each of the standards established by subsection (b) or, (2) with respect to any such standard which is not adopted, such authority or nonregulated electric utility shall state in writing that it has determined not to adopt such standard, together with the reasons for such determination. Such statement of reasons shall be available to the public.

SEC. 114. **LIFELINE RATES.**

(a) **LOWER RATES.**—No provision of this title prohibits a State regulatory authority (with respect to an electric utility for which it has ratemaking authority) or a nonregulated electric utility from fixing, approving, or allowing to go into effect a rate for essential needs (as defined by the State regulatory authority or by the nonregulated electric utility, as the case may be) of residential electric consumers which is lower than a rate under the standard referred to in section 111(d)(1).

(b) **DETERMINATION.**—If any State regulated electric utility or nonregulated electric utility does not have a lower rate as described in subsection (a) in effect 2 years after the date of the enactment of this Act, the State regulatory authority having ratemaking authority with respect to such State regulated electric utility or the nonregulated electric utility, as the case may be, shall determine, after an eviden-

tary hearing, whether such a rate should be implemented by such utility.

(c) **PRIOR PROCEEDINGS.**—Section 124 shall not apply to the requirements of this section.

SEC. 115. **SPECIAL RULES FOR STANDARDS.**

(a) **COST OF SERVICE.**—In undertaking the consideration and making the determination under section 111 with respect to the standard concerning cost of service established by section 111(d)(1), the costs of providing electric service to each class of electric consumers shall, to the maximum extent practicable, be determined in on the basis of methods prescribed by the State regulatory authority (in the case of a State regulated electric utility) or by the electric utility (in the case of a nonregulated electric utility). Such methods shall to the maximum extent practicable—

(1) permit identification of differences in cost-incurrence for each such class of electric consumers, attributable to daily and seasonal time of use of service and

(2) permit identification of differences in customer, demand, and energy components of cost. In prescribing such methods, such State regulatory authority or nonregulated electric utility shall take into account the extent to which total costs to an electric utility are likely to change if—

(A) additional capacity is added to meet peak demand relative to base demand; and

(B) additional kilowatt-hours of electric energy are delivered to electric consumers.

(b) **TIME-OF-DAY RATES.**—In undertaking the consideration and making the determination required under section 111 with respect to the standard for time-of-day rates established by section 111(d)(3), a time-of-day rate charged by an electric utility for providing electric service to each class of electric consumers shall be determined to be cost-effective with respect to each such class if the long-run benefits of such rate to the electric utility and its electric consumers in the class concerned are likely to exceed the metering costs and other costs associated with the use of such rates.

(c) **LOAD MANAGEMENT TECHNIQUES.**—In undertaking the consideration and making the determination required under section 111 with respect to the standard for load management techniques established by section 111(d)(6), a load management technique shall be determined, by the State regulatory authority or nonregulated electric utility, to be cost-effective if—

(1) such technique is likely to reduce maximum kilowatt demand on the electric utility, and

(2) the long-run cost-savings to the utility of such reductions are likely to exceed the long-run costs to the utility associated with implementation of such technique.

(d) **MASTER METERING.**—Separate metering shall be determined appropriate for any new building for purposes of section 113(b)(1) if—

(1) there is more than one unit in such building,

(2) the occupant of each such unit has control over a portion of the electric energy used in such unit, and

(3) with respect to such portion of electric energy used in such unit, the long-run benefits to the electric consumers in such building exceed the costs of purchasing and installing separate meters in such building.

(c) **Automatic Adjustment Clauses.**—(1) An automatic adjustment clause of an electric utility meets the requirements of this subsection if—

(A) such clause is determined, not less often than every 4 years, by the State regulatory authority (with respect to an electric utility for which it has ratemaking authority) or by the electric utility (in the case of a nonregulated electric utility), after an evidentiary hearing, to provide incentives for efficient use of resources (including incentives for economical purchase and use of fuel and electric energy) by such electric utility, and

(B) such clause is reviewed not less often than every 2 years, in the manner described in paragraph (2), by the State regulatory authority having ratemaking authority with respect to such utility (or by the electric utility in the case of a nonregulated electric utility), to insure the maximum economies in those operations and purchases which affect the rates to which such clause applies.

(2) In making a review under subparagraph (B) of paragraph (1) with respect to an electric utility, the reviewing authority shall examine and, if appropriate, cause to be audited the practices of such electric utility relating to costs subject to an automatic adjustment clause, and shall require such reports as may be necessary to carry out such review (including a disclosure of any ownership or corporate relationship between such electric utility and the seller to such utility of fuel, electric energy, or other items).

(3) As used in this subsection and section 113(b), the term "automatic adjustment clause" means a provision of a rate schedule which provides for increases or decreases (or both), without prior hearing, in rates reflecting increases or decreases (or both) in costs incurred by an electric utility. Such term does not include an interim rate which takes effect subject to a later determination of the appropriate amount of the rate.

(f) **Information to Consumers.**—(1) For purposes of the standard for information to consumers established by section 113(b) (3), each electric utility shall transmit to each of its electric consumers a clear and concise explanation of the existing rate schedule and any rate schedule applied for (or proposed by a nonregulated electric utility) applicable to such consumer. Such statement shall be transmitted to each such consumer—

(A) not later than 60 days after the date of commencement of service to such consumer or 90 days after the standard established by section 113(b) (3) is adopted with respect to such electric utility, whichever last occurs, and

(B) not later than 30 days (60 days in the case of an electric utility which uses a bimonthly billing system) after such utility's application for any change in a rate schedule applicable to such

consumer (or proposal of such a change in the case of a nonregulated utility).

(2) For purposes of the standard for information to consumers established by section 113(b) (3), each electric utility shall transmit to each of its electric consumers not less frequently than once each year—

(A) a clear and concise summary of the existing rate schedules applicable to each of the major classes of its electric consumers for which there is a separate rate, and

(B) an identification of any classes whose rates are not summarized.

Such summary may be transmitted together with such consumer's billing or in such other manner as the State regulatory authority or nonregulated electric utility deems appropriate.

(3) For purposes of the standard for information to consumers established by section 113(b) (3), each electric utility, on request of an electric consumer of such utility, shall transmit to such consumer a clear and concise statement of the actual consumption (or degree-day adjusted consumption) of electric energy by such consumer for each billing period during the prior year (unless such consumption data is not reasonably ascertainable by the utility).

(g) **Procedures for Termination of Electric Service.**—The procedures for termination of service referred to in section 113(b) (4) are procedures prescribed by the State regulatory authority (with respect to electric utilities for which it has ratemaking authority) or by the nonregulated electric utility which provide that—

(1) no electric service to an electric consumer may be terminated unless reasonable prior notice (including notice of rights and remedies) is given to such consumer and such consumer has a reasonable opportunity to dispute the reasons for such termination, and

(2) during any period when termination of service to an electric consumer would be especially dangerous to health, as determined by the State regulatory authority (with respect to an electric utility for which it has ratemaking authority) or nonregulated electric utility, and such consumer establishes that—

(A) he is unable to pay for such service in accordance with the requirements of the utility's billing, or

(B) he is able to pay for such service but only in installments,

such service may not be terminated.

Such procedures shall take into account the need to include reasonable provisions for elderly and handicapped consumers.

(h) **Advertising.**—(1) For the purposes of this section and section 113(b) (5)—

(A) The term "advertising" means the commercial use, by an electric utility, of any media, including newspaper, printed matter, radio, and television, in order to transmit a message to a substantial number of members of the public or to such utility's electric consumers.

(B) The term "political advertising" means any advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters, or with respect to any controversial issue of public importance.

The term "State regulated gas utility" means any gas utility with respect to which a State regulatory authority has ratemaking authority.

(4) The term "nonregulated gas utility" means any gas utility other than a State regulated gas utility.

(5) The term "rate" means any (A) price, rate, charge, or classification made, demanded, observed, or received with respect to sale of natural gas to a gas consumer, (B) any rule, regulation, or practice respecting any such rate, charge, or classification, and (C) any contract pertaining to the sale of natural gas to a gas consumer.

(6) The term "ratemaking authority" means authority to fix, modify, approve, or disapprove rates.

(7) The term "sale", when used with respect to natural gas, includes an exchange of natural gas.

(8) The term "State regulatory authority" means any State agency which has ratemaking authority with respect to the sale of natural gas by any gas utility (other than by such State agency).

SEC. 303. ADOPTION OF CERTAIN STANDARDS.

(a) **ADOPTION OF STANDARDS.**—Not later than 2 years after the date of the enactment of this Act, each State regulatory authority (with respect to each gas utility for which it has ratemaking authority) and each nonregulated gas utility shall provide public notice and conduct a hearing respecting the standards established by subsection (b) and, on the basis of such hearing, shall—

(1) adopt the standard established by subsection (b) (1) if, and to the extent, such authority or nonregulated utility determines that such adoption is appropriate and is consistent with otherwise applicable State law; and

(2) adopt the standard established by subsection (b) (2) if, and to the extent, such authority or nonregulated utility determines that such adoption is appropriate to carry out the purposes of this title, is otherwise appropriate, and is consistent with otherwise applicable State law.

For purposes of any determination under paragraphs (1) and (2) and any review of such determination in any court, under section 307, the purposes of this title supplement State law. Nothing in this subsection prohibits any State regulatory authority or nonregulated utility from making any determination that it is not appropriate to implement any such standard, pursuant to its authority under otherwise applicable State law.

(b) **ESTABLISHMENT.**—The following Federal standards are hereby established:

(1) **PROCEDURES FOR TERMINATION OF NATURAL GAS SERVICES.**—No gas utility may terminate natural gas service to any gas consumer except pursuant to procedures described in section 304(a).

(2) **ADVERTISING.**—No gas utility may recover from any person other than the shareholders (or other owners) of such utility any direct or indirect expenditure by such utility for promotional or political advertising as defined in section 304(b).

(c) **PROCEDURAL REQUIREMENTS.**—Each State regulatory authority (with respect to each gas utility for which it has ratemaking authority) and each nonregulated gas utility, within the 2-year period specified in

(a) shall adopt, pursuant to section 303(a), with respect to any such standard which is not adopted, such authority or nonregulated utility shall state in writing that it has determined not to adopt such standard, together with the reasons for such determination. Such statement of reasons shall be available to the public.

SEC. 304. SPECIAL RULES FOR STANDARDS.

(a) **PROCEDURES FOR TERMINATION OF GAS SERVICE.**—The procedures for termination of service referred to in section 303(b)(1) are procedures prescribed by the State regulatory authority (with respect to gas utilities for which it has ratemaking authority) or the nonregulated gas utility which provide that—

(1) no gas service to a gas consumer may be terminated unless reasonable prior notice (including notice of rights and remedies) is given to such consumer and such consumer has a reasonable opportunity to dispute the reasons for such termination, and

(2) during any period when termination of service to a gas consumer would be especially dangerous to health, as determined by the State regulatory authority (with respect to gas utility for which it has ratemaking authority) or nonregulated gas utility, and such consumer establishes that—

(A) he is unable to pay for such service in accordance with the requirements of the utility's billing, or

(B) he is able to pay for such service but only in installments,

such service may not be terminated. Such procedures shall take into account the need to include reasonable provisions for elderly and handicapped consumers.

(b) **ADVERTISING.**—(1) For purposes of this section and section 303, the term "advertising" means the commercial use, by a gas utility, of any media, including newspaper, printed matter, radio, and television, in order to transmit a message to a substantial number of members of the public or to such utility's gas consumers.

(B) The term "political advertising" means any advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matter, or with respect to any controversial issue of public importance.

(C) The term "promotional advertising" means any advertising for the purpose of encouraging any person to select or use the service or additional service of a gas utility or the selection or installation of any appliance or equipment designed to use such utility's service.

(2) For purposes of this section and section 303, the terms "political advertising" and "promotional advertising" do not include—

(A) advertising which informs natural gas consumers how they can conserve natural gas or can reduce peak demand for natural gas;

(B) advertising required by law or regulation, including advertising required under part 1 of title II of the National Energy Conservation Policy Act;

(C) advertising regarding service interruptions, safety measures, or emergency conditions;

(D) advertising concerning employment opportunities with such utility.

NAME: Gail M. Stet DATE: Jan 29 1979

ADDRESS: 514-515 Power Block Building, Helena, Mt.

PHONE: 743-9204

REPRESENTING WHOM? ^{mt.} Human Resource Development Council, Helena, Assoc.

APPEARING ON WHICH PROPOSAL: Senate Bill 191

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: The Mt. Home Res. Directors support Senate

bill 191. The termination of energy conservation

months in Montana's winter will

be serious and possibly tragic results. As the

cost of heating homes goes up, the ability of

lower-middle income, and low income

persons becomes an extraordinarily true of social

categories on fixed incomes, who besides having

to maintain their dwellings at higher temperatures

of health purposes, do not apply for crisis funds

available and or Energy Stamps if either program

is available. Montana's poor will be in a worse position

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

of energy are determined, therefore we support S.B. 191

NAME: J. David Burchett DATE: 1/29/79

ADDRESS: 1 Pine View Dr. Helena, MT.

PHONE: 449-3457 (Bus) 442-8581 (Home)

REPRESENTING WHOM? MT. PSC

APPEARING ON WHICH PROPOSAL: SB # 191

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: see three page report on Utility

Disconnect

NAME: James E. Mallard DATE: 1-29-79

ADDRESS: 1301 9th Helena, MT-59601

PHONE: 443-4164

REPRESENTING WHOM? Montana Coalition of Human Services

APPEARING ON WHICH PROPOSAL: SB 191

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: We are in Full support of SB 191 and

its amendment. We feel that the time has come for

The State of Montana to take a decisive step to protect

the health and lives of its citizens; especially those

who are unable, for one reason or another, to keep up

with the current upsurge in inflation and subsequent

rise in energy costs. We feel that this bill is, at

least, a good first step in ensuring the safety and

quality of life of all the people of Montana.

Again we urge your passage of SB 191.

Thank you!

NAME: Neal Valley DATE: 1-29-79

ADDRESS: 740 Marshall St. Missoula

PHONE: 728 7417

REPRESENTING WHOM? _____

APPEARING ON WHICH PROPOSAL: _____

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? _____

COMMENTS: When the power is shut off not
all will die, but all will get sick
Don't force people to pay by
threatening life. ← (Mafia tactic)
All people must pay, and will
but don't shut them off especially
a family with little kids. please
don't shut us off no more

NAME: Bette Marie Jones DATE: Jan 29, 1979

ADDRESS: 734 Cleveland, Apt A Missoula, Mont.

PHONE: 728-3057

REPRESENTING WHOM? Dist XI Human Resource Council

APPEARING ON WHICH PROPOSAL: SB 191

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Mountain Power Co, despite its agreement with
the PSC, does discontinue service to customers
in the winter months. Don Louschee, MPC, told Sue Bagge
chairman of the Missoula City Council's Judicial Review
Comm. that the power company waits until the
temperature rises above 32° before disconnecting, however,
he admitted that the temperature may dip to 0°
that same day, but the company has followed
the letter of the agreement, by waiting until
the temperature is above freezing before the shut-off.
Without legislation there is no protection for low-income
persons.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Lune Van Delf DATE: _____

ADDRESS: 1900 83rd apt 7

PHONE: 549-1220

REPRESENTING WHOM? ~~Peight~~ Peight

APPEARING ON WHICH PROPOSAL: 8B19P

DO YOU: SUPPORT? for AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Buddy Long DATE: Jan. 29, 1979
ADDRESS: 129 N. 2nd W. #3 Male M.C.
PHONE: 549-0939

REPRESENTING WHOM? Light T. (Low Income group for Human Treatment)

APPEARING ON WHICH PROPOSAL: S.B. 191

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: By shutting the utilities off, the
M.P.C. is actually putting a price on a
human life. How much is a human life worth?
\$250.00 ? \$300.00 ? or 2¢ ?

NAME: Faye A. Green DATE: Apr 29 H. 79

ADDRESS: 129 N Sec. W. Mesa, N.M.

PHONE: 549-0431

REPRESENTING WHOM? Light Low Income for Human

APPEARING ON WHICH PROPOSAL: S. B. 191

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: Mt P Co. values the Almighty
dollar before they do a human life

NAME: MICHAEL BARTON DATE: 1-29-79

ADDRESS: 207 E. MAIN, MISSOULA, MT. 59801

PHONE: 728-3710

REPRESENTING WHOM? DISTRICT XI HUMAN RESOURCE COUNCIL

APPEARING ON WHICH PROPOSAL: SB 191

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: I have attached
~~I will forward~~ a copy of my
remarks to the committee.

NAME: Harold Pittman

DATE: 1-29-79

ADDRESS: Helen M. Mont

PHONE: 442-7109

REPRESENTING WHOM? Montana Bankers Assoc

APPEARING ON WHICH PROPOSAL: S.B. #201

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: William J. Opitz DATE: 1/29/79

ADDRESS: 2 Wood Court Helena, Mt.

PHONE: 449-3007 (Business) 443-3624 (Home)

REPRESENTING WHOM? Mont. PSC

APPEARING ON WHICH PROPOSAL: #1 SB-191

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: (1.) See 3 page reproduction of Nat'l Energy
Act. (2.) Submitted one copy of letters from
PSC to regulated companies & their response
to same. (3.) Submitted one copy of PSC's
proposed rules for dealing with termination of
service.

NAME: Diana Decker DATE: 1-29-79

ADDRESS: 932 Stn 2nd W

PHONE: 549-2881

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: SR 191

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Name : Diana Seebes
City : Msls, Mont.

I have been unemployed $1\frac{1}{2}$ months. Having no money to pay my high utility bill the amount I owe for two months is \$220.00.

Having bought my home previous to the energy crisis I was ill informed as to the importance of insulation. My home is an older two story house and has no insulation. Since purchasing it I have installed storm windows and have also put in wood heat. Still my utility have at least doubled in the last 5 years.

I feel that the threat of having ones utilities shut off during the winter is preposterous. If we allow a monopoly to say who has the human right to heat & lights our Democracy is a farce.

I'm sure that anyone would rather pay there bill than have the constant threat -

NAME: JACK BURKE DATE: 1-29-79

ADDRESS: 40 E. BROADWAY BUTTE

PHONE: 723-5421

REPRESENTING WHOM? MONTANA POWER

APPEARING ON WHICH PROPOSAL: S.B. # 191

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Gene Phillips DATE: 1/29/79

ADDRESS: Kalispell, Montana

PHONE: 755-6644

REPRESENTING WHOM? Pacific Power & Light

APPEARING ON WHICH PROPOSAL: 5 (3) 197

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.