

WC 10-101

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

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IN THE MATTER of The Application)
For A Declaratory Ruling On The)
Commission's Jurisdiction Of The)
Rates, Terms And Conditions For)
The Use of Public Utility Faci-)
lities By Cable Television Opera-)
tors.)

DOCKET FILE COPY ORIGINAL

DOCKET NO. 6705

10-11-0034

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FILED/ACCEPTED

APR 26 2010

NOTICE OF PUBLIC HEARING

Federal Communications Commission
Office of the Secretary

The Montana Public Service Commission (Commission) will conduct a public hearing on THE MONTANA POWER COMPANY'S (Compan) petition for declaratory ruling that this Commission has jurisdiction of the use of public utility facilities by non-utility Cable Television (CATV) operators in the State of Montana. The hearing will commence on October 23, 1979, at 10:00 a.m., and continue from day to day thereafter until completed. The hearing will be held in the Commission's offices at 1227 - 11th Avenue in Helena, Montana.

The Company's petition seeks a declaratory ruling that this Commission has jurisdiction of the rates, terms and conditions for the use of public utility facilities by CATV operators in the State of Montana. The purpose of the hearing is to take evidence, testimony and comments on the petition.

The hearing will be held under the contested case procedures of the Montana Administrative Procedure Act and will be acted pursuant to the Commission's authority and jurisdiction under Title 2, Chapter 4, (the Administrative Procedure Act, particularly Sections 2-4-601 through 2-4-631) and Title 69, C 3 (state laws on utility regulation, parti-

cularly Sections 69-3-301 through 69-3-330) of the Montana Code Annotated.

At the hearing, the Commission contemplates that all interested persons will be allowed to testify, under oath, with respect to the issue of Commission jurisdiction over the rates, terms and conditions of the use of public utility facilities by CATV operators in the State of Montana. The basic issue in this case is one of law; that is, whether or not the statutes of the State of Montana give such jurisdiction to the Commission. For a specific discussion of this issue, attention is directed to the petition of The Montana Power Company on file in this proceeding. The Petition is available at the Commission's offices at 1227 - 11th Avenue, Helena, Montana 59601 and at the office of The Montana Power Company, 40 East Broadway, Butte, Montana, 59701.

Any person may participate in this proceeding and may petition to formally intervene, although intervention is not necessary for participation.

The Montana consumer Counsel, 34 West Sixth Avenue, Helena, Montana, 59601 (telephone 449-2771) is available to represent consumer interests in this proceeding without charge.

BY THE MONTANA PUBLIC SERVICE COMMISSION:

Gordon E. Bollinger, Chairman

Clyde Jarvis, Commissioner

Thomas J. Schneider, Commissioner

James R. Shea, Commissioner

George Turman, Commissioner