

G-010/GR-92-710 ORDER ACCEPTING FILING AND SUSPENDING RATES

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm	Chair
Tom Burton	Commissioner
Cynthia A. Kitlinski	Commissioner
Dee Knaak	Commissioner
Norma McKanna	Commissioner

In the Matter of the Application of Midwest Gas, a Division of Midwest Power Systems, Inc., for Authority to Change Its Schedule of Gas Rates for Retail Customers Within the State of Minnesota

ISSUE DATE: September 29, 1992

DOCKET NO. G-010/GR-92-710

ORDER ACCEPTING FILING AND SUSPENDING RATES

PROCEDURAL HISTORY

On August 14, 1992 Midwest Gas, a division of Midwest Power Systems, Inc. (the Company) filed a petition seeking a general rate increase of \$3,309,626, or 6.2%, effective October 13, 1992. In a memorandum issued August 14, the Commission asked interested persons to file comments on whether the Commission should accept the filing as substantially in compliance with applicable filing requirements and whether the matter should be referred to the Office of Administrative Hearings for contested case proceedings.

The Department of Public Service (the Department) filed comments which recommended accepting the filing and referring the matter for contested case proceedings. The Department was the only party to comment.

The matter came before the Commission on September 24, 1992.

FINDINGS AND CONCLUSIONS

Having examined the filing and having considered the comments of the Department, the Commission finds that the filing substantially complies with the statute, Minn. Stat. § 216B.16 (1990), and the applicable rules, Minn. Rules, parts 7825.3100 through 7825.4600. This is a finding as to form only; it implies no judgment on the merits of the application.

By separate Order the Commission has found that contested case proceedings are necessary for adequate examination of the merits of the application. See NOTICE AND ORDER FOR HEARING entered in this docket on this date. Although the Company's filing meets the statutory requirements to begin a rate case proceeding, intervening parties may need further information to evaluate the Company's proposed rate increase. Similarly, the Company may need further information to analyze other parties' positions. The Commission will therefore require the Company and other parties to produce additional information within ten days of service of any information request by the Department or any other party.

Under Minn. Stat. § 216B.16, subds. 1 and 2 (1990), the rates proposed by the Company become effective 60 days from filing, unless they are suspended by the Commission. The Commission finds that it cannot resolve all issues regarding the reasonableness of the proposed rates within this 60 day period and that the public interest requires suspension. The Commission will establish interim rates for the suspension period, under Minn. Stat. § 216B.16, subd. 3 (1990), by separate Order.

ORDER

1. The August 14, 1992 rate increase petition of Midwest Gas is accepted as being in proper form and substantially complete.
2. All parties to this proceeding may serve information requests on any other party. Information requests shall be answered within ten days of receipt.
3. The operation of the proposed rate schedule is hereby suspended under Minn. Stat. § 216B.16, subd. 2 (1990), until the Commission has issued a final determination in this case.
4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)