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PPL, Revenue Department appeal tax case to Supreme Court

GREAT FALLS (AP) -- PPL Montana and the state Department of Revenue are asking the Montana Supreme Court to review a District Court ruling over PPL's protested taxes.

In April, District Judge Dirk Sandefur of Great Falls ruled that the state had overcharged PPL Montana on tax bills from 2000 to 2002, but said the state was right in valuing PPL's property higher than similar property owned by other utilities.

PPL Montana filed the appeal on Thursday and the Department of Revenue filed a cross appeal.

"Had PPL chosen not to appeal, we would not have appealed," said Revenue Director Dan Bucks. "We were disappointed that PPL appealed. We thought that taken as a whole, Judge Sandefur's decision was a good decision, and PPL should have accepted it."

The dispute has tied up about \$35 million in protested taxes that would otherwise go to the state, counties and schools. Sandefur's ruling would have cut PPL's taxes by \$4 million over those three years.

PPL spokesman David Hoffman said the company believes the state is unfairly taxing PPL.

"It's about fairness," he said. "It's always been about fairness."

Sandefur said the state wasn't being unconstitutional in charging PPL more than other comparable utilities. The state argues that PPL's private plants can't be compared with other utilities because the company's energy prices aren't regulated and can fetch more on the open market.

Information from: Great Falls Tribune, <http://www.greatfallstribune.com>

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