



ADMINISTRATIVE RULES OF MONTANA



38.5.4012 PETITION FOR ARBITRATION OF OPEN ISSUES

- (1) Any party to the negotiation of an interconnection agreement may, during the period from the 135th to the 160th day (inclusive) after the date on which a LEC receives a request for negotiation, petition the commission to arbitrate any open issues.
- (2) To petition the commission for arbitration, a party to the negotiation shall file 10 copies of the request with the commission. On the same day it files its petition for arbitration with the commission, the petitioner shall serve a copy of the petition and all supporting documentation on any other party to the negotiation and the Montana consumer counsel. A docket number will be assigned and appropriate notice will be provided. The petition shall include the following information:
 - (a) the name, address, telephone number, fax number, and e-mail address of the party to the negotiation making the request;
 - (b) the name, address, telephone number, fax number, and e-mail address (if known) of the other party to the negotiation;
 - (c) the name, address, telephone number, fax number, and e-mail address (if known) of the parties' representatives who are participating in the negotiation and to whom inquiries should be made;
 - (d) the general negotiation history;
 - (e) all relevant nonproprietary documentation and arguments concerning unresolved issues and the position of each party on the unresolved issues;
 - (f) all relevant nonproprietary documentation on any other issue discussed and resolved by the parties; and
 - (g) a statement identifying information needed to resolve open issues or information which has been requested during negotiations but not yet provided.
- (3) Copies of the petition for arbitration shall be directed to Program Manager, Utility Division, Montana Public Service Commission, 1701 Prospect Avenue, PO Box 202601, Helena, Montana 59620-2601.

Authorizing statute(s): Sec. 69-3-103, MCA

Implementing statute(s): Secs. 69-3-102 and 69-3-201, MCA

History: NEW, 1997 MAR p. 319, Eff. 2/11/97.