



ADMINISTRATIVE RULES OF MONTANA



38.5.2714 PROCEDURES TO REQUIRE RE-TARIFFING

- (1) The commission retains the right to retariff. A determination that a service should be retariffed is dependent on the factors listed in 69-3-807(3) (a) -(e) , MCA.
- (2) Any interested party may petition the commission for a redetermination of whether an alternative to rate setting is appropriate. The burden of proof is on the party attempting to establish that the service should be retariffed. Such a request will be considered a complaint subject to the requirements of ARM 38.2.2101 through 38.2.2107.
- (3) If the commission intends to reconsider whether alternatives to rate setting are appropriate, it shall notify the telecommunication provider and all those on the telecommunications mailing list. Any interested party may file written comments within 20 days of notification that the commission intends to reconsider whether alternatives to rate setting are appropriate. If there is no material factual question the commission may make its determination without a hearing.

Authorizing statute(s): Sec. 69-3-822, MCA

Implementing statute(s): Sec. 69-3-807, MCA

History: NEW, 1986 MAR p. 805, Eff. 5/16/86.