



ADMINISTRATIVE RULES OF MONTANA



38.5.3213 DESIGNATION AND MAINTENANCE -- COVERAGE

- (1) Applications for designation as a competitive eligible telecommunications carrier and, upon request by the commission, existing eligible telecommunications carriers must provide a plan demonstrating the manner in which customers in the service area for which designation is sought or exists have or will have access to service. The plan for coverage must be in terms of percentage of customers served, minimum of 98%, within designated periods of time in years, up to five years. The commission may approve the plan or modify the plan if the circumstances demonstrate modification is in the public interest.
- (2) For purposes of this rule "access to service" means that the indicated percentage of residences and businesses must be able to utilize the designated carrier's services from their residence or business locations. In the case of a wireless eligible telecommunications carrier, "access to service" also means that customers within the maximum required coverage for the period designated shall not be required to purchase any equipment, beyond a typical handheld mobile phone, that may be required to enhance the ability to transmit or receive the wireless communications service.

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

Implementing statute(s): 69-3-840, MCA

History: NEW, 2005 MAR p. 653, Eff. 4/29/05.