



ADMINISTRATIVE RULES OF MONTANA



38.5.7010 GAS SUPPLIERS -- APPLICATION FOR LICENSE

- (1) The application to the commission for a natural gas supplier license shall include the following provisions, complete and in detail (except as provided in (5)) :
 - (a) the business name of the applicant;
 - (b) the street address and the mailing address of the applicant;
 - (c) the telephone number of the applicant;
 - (d) a description of the applicant's business organization (e.g., sole proprietorship, partnership, corporation) , including a diagram of organization, an identification of the state in which organized, and a statement as to whether the applicant owns or operates gas distribution, transmission, or storage facilities, where those facilities are located, and whether those facilities are open and accessible on a nondiscriminatory basis to all gas suppliers, a list of the applicant's affiliates, a description of each affiliate's business activities and purposes, a statement as to whether any affiliate owns or operates gas distribution, transmission, or storage facilities, and an explanation of where those facilities are located and whether the facilities are open and accessible on a nondiscriminatory basis to all gas suppliers;
 - (e) the name, address, and telephone number of the supplier representative to be contacted regarding the application;
 - (f) the name, address, and toll-free telephone number of the supplier representative or office that may be contacted by consumers in regard to supply;
 - (g) the name, mailing address, street address, and telephone number of the applicant's agent for service of process in Montana, if required by law to designate such agent;
 - (h) information demonstrating the gas supply offered or to be offered by the applicant will be provided as offered;
 - (i) information demonstrating the gas supply offered or to be offered by the applicant will be adequate in terms of quality, safety, and reliability;
 - (j) information demonstrating the applicant's financial integrity as a gas supplier, including a current and detailed balance sheet, income and profit and loss statement, statement of cash flows, and the most recent of the applicant's annual reports to owners (e.g., stockholders) ;
 - (k) information demonstrating adequate firm deliverability (including supply, pipeline capacity, and interconnection agreements) to meet load requirements;

- (l) a brief description of all federal and state judicial and administrative actions pending against the applicant (including on appeal) in which judgment is sought in an amount of 10 percent or more of the applicant's net worth; and
 - (m) identification of all federal and state judicial and administrative actions, if any, whether pending at the time of application (including on appeal) or concluded within 5 years prior to the time of application, which involve the applicant's authority to supply, market, and broker natural gas.
- (2) Applicants shall also file a sample of each type of contract intended to be used in the providing of supply to residential and small commercial consumers.
 - (3) At the time of making application to the commission for a supplier license, applicants shall notify distribution services providers in accordance with 69-3-1405, MCA.
 - (4) All information provided by the applicant in regard to the application shall be updated by the licensee each time any change in that information occurs.
 - (5) Some of the above requirements may not apply to certain types of suppliers. If an applicant believes that to be the case in regard to an application, the applicant shall clearly state that and the reason supporting such determination, in lieu of the information requested.

Authorizing statute(s): Secs. 69-3-103, 69-3-1405, MCA

Implementing statute(s): Sec. 69-3-1405, MCA

History: NEW, 1998 MAR P. 1928, Eff. 6/12/98.