



ADMINISTRATIVE RULES OF MONTANA



38.5.3302 DEFINITIONS

In the interpretation of these rules, the following definitions shall be used:

- (1) "Billing aggregator" has the meaning as provided in 69-3-1302 (2) , MCA.
- (2) "Calls" means customers' telecommunications messages attempted.
- (3) "Carrier" means any local exchange carrier, interexchange carrier, operator service provider, inmate calling provider, or other telecommunications provider which provides regulated telecommunications services pursuant to 69-3-803 , MCA. The term does not include a rural cooperative carrier or a wireless carrier.
- (4) "Central office" means a switching unit which may provide local access lines in a telecommunications system providing service to the general public, having the necessary equipment and operating arrangements for terminating and interconnecting customer lines and trunks or trunks only. There may be more than one central office in a building.
- (5) "Channel" means a path for telecommunications between two or more customers or central offices.
- (6) "Competitive local exchange carrier" means a carrier providing regulated local exchange service through any means, but is not the incumbent local exchange carrier.
- (7) "Customer" means any person, firm, partnership, corporation, municipality, cooperative, organization, governmental agency, or other legal entity which has applied for, been accepted, and is currently receiving telecommunications service.
- (8) "Customer trouble report" means any oral or written report from a customer or user of telecommunications services relating to a physical defect or to difficulty or dissatisfaction with the operation of the utility's facilities.
- (9) "Exchange" means a service area established by an incumbent localexchange carrier for the administration of telecommunications services in a specified area for which a separate local rate schedule is provided. It may consist of one or more central offices together with associated plant facilities used in furnishing telecommunications services in that area. An exchange has one point designated for the purpose of rating toll calls for all subscribers in the exchange.
- (10) "Facilities-based carrier" for purposes of these rules means a carrier that owns a majority of the facilities by which the carrier provides telecommunications service in Montana.
- (11) "Incumbent local exchange carrier" means, with respect to an area, the local exchange carrier that:
 - (a) on February 8, 1996, provided telephone exchange service in the area; and

- (b) on February 8, 1996, was considered to be a member of the Exchange Carrier Association pursuant to 47 CFR 69.601(b) or is a person or entity that, after that date, became a successor or assign of a member of the Exchange Carrier Association.
- (12) "Installation order" means a request for new or transferred primary or additional residential or business service, but does not include change orders or requests for features to be added to existing service.
- (13) "Interexchange carrier" means a telecommunications carrier that carries telecommunications services between exchanges, whether inter- or intra-LATA.
- (14) "Interoffice" means between central offices.
- (15) "Local access line" means a facility, totally within one exchange, providing a telecommunications channel between a customer's service location and the serving central office or remote switch.
- (16) "Local exchange carrier" means a carrier that provides local exchange service.
- (17) "Local exchange service" means telecommunications service provided within local exchange service areas. It includes the use of facilities required to establish connections between customer locations within the exchange and between customer locations and interexchange trunks serving the exchange.
- (18) "Network interface device (NID) " means a device which establishes a point of demarcation between the telecommunications utility facilities and a customer's premises wiring and equipment, permits the disconnection of all customer premises wiring from the exchange carrier network, and for testing purposes, provides for direct network access through an industry registered jack of a type provided for in Part 68 of the Federal Communications Commission (FCC) rules.
- (19) "Out of service trouble report" means a trouble report concerning no dial tone, an inability to make or receive calls, or a deterioration of transmission quality to the point that communication is not workable.
- (20) "Service provider" has the meaning as provided in 69-3-1302 (7) , MCA.
- (21) "Tariff" means the entire body of rates, tolls, rentals, charges, classifications, and rules filed by the carrier and approved by the commission.

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

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

History: NEW, 1989 MAR p. 1515, Eff. 9/29/89; AMD, 1991 MAR p. 2631, Eff. 12/27/91; AMD, 1993 MAR p. 1336, Eff. 6/25/93; AMD, 2006 MAR p. 2967, Eff. 12/8/06.