



ADMINISTRATIVE RULES OF MONTANA



38.5.7001 CONTEXT AND DEFINITIONS

- (1) These rules implement Montana's Natural Gas Utility Restructuring and Customer Choice Act, 69-3-1401 through 69-3-1409, MCA, and shall be construed in that context. Except in administration of 69-3-1408, MCA (universal system benefits program) , the commission does not intend these rules to apply to a "natural gas utility" as defined at 69-3-1401, MCA, so long as the utility does not restructure as described at 69-3-1403, MCA, or become a "natural gas supplier" as defined at 69-3-1401, MCA. Unless otherwise provided through rule or through order of the commission, these rules shall apply in all gas utility restructurings, including in periods of transition to customer choice and pilot programs which may be a part of a restructuring plan.
- (2) Words used in these rules shall have the meanings assigned in 69-3-1402, MCA, and, if not defined there, shall have their common meanings in the context of gas utility and gas pipeline regulation and restructuring. Words used in these rules also have the meanings assigned by this rule, unless the context otherwise clearly demands:
 - (a) "affiliate" means a parent, subsidiary, division, or the like, regardless of designation, owning or controlling the provider, owned or controlled by the provider, under common ownership with the provider, or under common control with the provider;
 - (b) "provider" means a system services provider;
 - (c) "service" generally includes all incidents to service (e.g., applying for service, communicating in regard to service) ;
 - (d) "supplier" means "natural gas supplier," as defined at 69-3-1402, MCA, which includes any person offering to sell gas to end-use customers but not if the offering is by a public utility as a public utility and in accordance with commission-approved tariffs;
 - (e) "supply service" means providing natural gas for enduse, whether or not regulated by the commission;
 - (f) "system services" includes gas transmission services, distribution services, storage services, and all other gas services regulated by the commission, directly or indirectly, excluding supply services;
 - (g) "utility" means a "public utility" as defined at 69-3-101, MCA.

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

Implementing statute(s): 69-3-103, 69-3-1402, 69-3-1404, 69-3-1405, 69-3-1408, MCA



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History: NEW, 1998 MAR p. 1506, Eff. 6/12/98.