



ADMINISTRATIVE RULES OF MONTANA



38.5.2742 PROVISION OF NEW SERVICE

- (1) A new service which has been approved as provided above, may be offered on a "detariffed" basis. For purposes of this rule, "detariffed" means that the rates for the service may be changed without commission approval (above a minimum rate) , but the service otherwise remains fully regulated.
- (2) At the time the service is offered to the public, the carrier must file a compliance price list with the commission containing:
 - (a) The terms, conditions and description of the service;
 - (b) The minimum rate for the service; and
 - (c) The rate to be charged for the service.
- (3) The compliance price list filed pursuant to subsection (2) must be consistent with the conditions of commission approval. If approval occurred automatically following the passage of 30 days, pursuant to ARM 38.5.2740(3) , the compliance price list must contain the same terms, conditions, description and minimum price that were contained in the application.
- (4) The rate charged for the service must be above the minimum rate and above relevant incremental costs at all times.
- (5) The minimum rate in the price list cannot be changed without subsequent commission approval.
- (6) The service must be offered in accordance with the terms, conditions and description contained in the price list.
- (7) The terms, conditions and description of the service cannot be changed without subsequent commission approval.

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

Implementing statute(s): Sec. 69-3-810, MCA

History: NEW, 1993 MAR p. 1336, Eff. 6/25/93.