



ADMINISTRATIVE RULES OF MONTANA

38.5.4202 REGISTRATION PROCEDURES FOR SERVICE PROVIDERS AND BILLING AGGREGATORS

- (1) Billing aggregators and service providers must register on a form provided by the commission that is notarized and signed by two officers of the applicant. A copy of the application form is available from the commission or on the commission's internet website.
- (2) Each applicant must file an original application, two paper copies and a copy in an electronic format specified by the commission.
- (3) The applicant shall inform the commission of any change in the information provided in the application during the pendency of the application.
- (4) When correspondence sent by the commission to a registered billing aggregator or service provider by mail or electronic mail to the mailing and electronic mailing addresses provided by the registrant is returned as undeliverable, the registrant will be removed from the list of registered providers and will no longer be registered. The commission will notify all registered billing aggregators and telecommunications carriers of the removal of the billing aggregator's or service provider's registration within two business days of the removal.
- (5) The commission may reject a registration request if the commission finds that:
 - (a) the application is incomplete and the applicant does not take reasonable steps to provide the missing information; or
 - (b) the applicant has knowingly misrepresented or omitted a material fact on the application.
- (6) After notice and an opportunity for a hearing, the commission may revoke a registration in accordance with this rule.
- (7) The commission may revoke the registration of a service provider who has:
 - (a) knowingly or repeatedly billed one or more customers for unauthorized service, provided that for the purposes of these rules, a service provider knowingly billed for unauthorized charges if it cannot verify the customer's authorization for such charges, pursuant to these rules; or
 - (b) engaged in any other false or deceptive billing practices.
- (8) The commission may revoke the registration of a billing aggregator who has:
 - (a) knowingly or repeatedly forwarded the charge for a service or product to a billing agent on behalf of a service provider who was required to be registered with the commission under these rules and who was not registered, provided that:

- (i) for purposes of these rules, a billing aggregator acted knowingly if it forwarded a charge and if the service provider's name was not on the commission's list of registered service providers at the time the charge was forwarded to the billing agent; or
 - (ii) if the service provider's registration had been revoked and properly noticed pursuant to these rules at the time the charge was forwarded to the billing agent; or
- (b) engaged in any other false or deceptive billing practices.
- (9) The commission shall provide notice of the revocation of a registration under this rule to all registered telecommunications carriers and billing aggregators doing business in Montana within two business days of the revocation becoming final.

Authorizing statute(s): 69-3-1305, 69-3-1308, 69-3-1309, 69-3-1310, 69-3-1311, 69-3-1315 and 69-3-1316, MCA

Implementing statute(s): 69-3-1304, MCA

History: NEW, 2003 MAR p. 2085, Eff. 9/26/03.