



ADMINISTRATIVE RULES OF MONTANA



38.5.3332 CUSTOMER BILLING

- (1) Carriers and billing aggregators are required to bill in accordance with the following procedures:
 - (a) Bills must be issued monthly, unless the carrier has obtained the customer's consent for bills to be issued on an alternative billing schedule.
 - (b) Residential and single-line business bills must itemize the charges for all services and products. The bill must clearly provide the following information:
 - (i) payment due date;
 - (ii) total amount due, including taxes;
 - (iii) the toll-free telephone number of the company's business office serving the customer;
 - (iv) a statement that local exchange service may not be disconnected for nonpayment of unregulated services, toll services, or services provided by other carriers, except when a local exchange carrier's local, toll, or unregulated services are combined into one service package at a single rate;
 - (v) the address and telephone number of the commission.
 - (c) If a local exchange carrier bills and collects for any interexchange carrier, including itself, all toll calls must be itemized showing the date, the time, the length in minutes, discounts if applicable, and the destination of the call, unless the customer has subscribed to a service option which does not require itemization of each call. For collect and/or third party calls, the point of origin and the telephone number of origin must be stated.
 - (d) Upon request, a carrier must notify the commission of the name and address of all entities for which it provides billing and collection services. If a local exchange carrier bills and collects for another carrier or service provider, the local exchange carrier must, upon request, provide the customer with the name, address, and telephone number of the other carrier's or service provider's department responsible for customer dispute resolution.
 - (e) Charges contained in telephone bills must be accompanied by a brief, clear, nonmisleading, plain-language description of the service rendered. If the bill includes charges from an entity that did not bill the customer for service during the customer's previous billing cycle, the name of the new provider and the charges billed must be printed in a clear and conspicuous manner.
 - (f) If a customer has subscribed to local measured service, the bill must detail any and all charges in excess of the basic local measured service monthly charge, including, at a minimum, the total minutes and total charges in each rate category.

- (2) If telecommunications service has been underbilled because of the carrier's error, omission, or negligence and the amount owed exceeds \$25, the carrier must offer the customer a reasonable payment arrangement. If telecommunications service has been overbilled, the carrier must credit the customer's future bills for the amounts overbilled, unless the customer requests a cash refund of the credit balance. In either case (underbilling or overbilling) , the carrier shall abide by the applicable statute of limitations, and 69-3-221 , MCA.
- (3) If a customer's service is interrupted for any reason other than the customer's negligence or willful act and service remains out for more than 24 hours after being reported, appropriate adjustments shall be made to the customer's bill upon determination of the outage. For the purpose of administering this rule, every month is considered to have 30 days.
- (4) The carrier may require the customer to pay the undisputed portion of the bill to avoid discontinuance of service for nonpayment. The carrier must investigate the dispute and report the result to the customer. If the billing dispute is not resolved, the carrier must advise the customer that the commission is available for review and disposition of the matter.
- (5) Local exchange service cannot be denied or terminated because of nonpayment of unregulated services, toll services, or services provided by other carriers, except when a local exchange carrier's local, toll, or unregulated services are combined into one service package at a single rate. A carrier's bill to its customer shall clearly distinguish between regulated and unregulated service.
- (6) Undesignated partial payments of a bill shall be applied first to local exchange carrier regulated local exchange services and then to service other than local exchange carrier regulated local exchange services in such percentage as each other service provider's charges represent of the total charges. When a local exchange carrier's local, toll, or unregulated services are combined into one service package at a single rate, undesignated partial payments shall be applied first to the service package, then to other services as described above.
- (7) If a carrier bills a customer for a service more than 60 days after the service is provided and the customer contacts the carrier (or its billing agent) to question or dispute the late-billed charges, the carrier (or its billing agent) must offer the customer a payment plan that allows an equal period of time to pay the late-billed charges as it took the carrier to bill the customer. During this period, late payment charges must not be assessed on the late-billed service charges, and the carrier is prohibited from taking any collection actions against the customer other than monthly notice by mail of the unpaid charges. Any such monthly notice must not threaten any further collection action, and must inform the customer that the carrier will arrange a payment plan in accordance with this rule upon customer request.
- (8) All carriers are prohibited from charging any amount for unanswered calls.

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

Implementing statute(s): 69-3-102, 69-3-201, 69-3-221, MCA

History: NEW, 1989 MAR p. 1515, Eff. 9/29/89; AMD, 1990 MAR p. 593, Eff. 3/30/90; 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.