



ADMINISTRATIVE RULES OF MONTANA



38.3.2607 CONTENTS OF TARIFF

- (1) Tariff shall contain in the order named:
 - (a) Table of contents: A full and complete statement, in alphabetical order, of the exact location where information under general headings, by subjects, will be found, specifying page or item numbers. If a tariff contains so small a volume of matter that its title page or its interior arrangements plainly discloses its contents, the table of contents may be omitted.
 - (b) Corporate name or names of issuing carriers, including carriers for which joint agent issues under power of attorney, when not shown on title page, and corporate names of carriers participating under concurrence, each alphabetically arranged, together with the form and number of power of attorney or certificate of concurrence.
 - (c) A complete index, alphabetically arranged, of all articles upon which commodity rates are named therein, together with reference to each item (or page) where such article is shown. When nouns are not sufficiently distinctive, articles shall also be indexed under their adjectives. All of the entries relating to different kinds or species of the same commodity shall be grouped together. For example, all items of coal "Coal," and descriptive word or words following, as "Coal, anthracite," "Coal, bituminous," etc.
 - (d) When articles are grouped together in one list under a generic heading, such generic heading shall be shown in the index and opposite thereto shall be shown reference to each item (or page) where the generic term is used. Each article in the list must be shown separately in its proper alphabetical order in the index, together with reference to each item (or page) where such article is shown by name, but reference to the items (or pages) containing rates applying on the complete list may be omitted provided reference is given to the generic heading as it appears in the index or to an item in that tariff which contains a complete list of the articles covered by the generic term or to the PSC (or ICC) number of a tariff which contains such list. If all of the commodity rates to each destination in a general commodity tariff or a combined class and commodity tariff are arranged in alphabetical order by commodities, the index of commodities may be omitted from that tariff.
 - (e) An alphabetical index of all points from which rates apply, and a separate alphabetical index of all points to which rates apply, together with the names of counties in which located, except that when the rates apply in both directions between all or substantially all of the stations, the points of origin and destination may be shown in one index. If there are not more than 12 points of origin or 12 points of destination, the name of each, if practicable, may be shown in alphabetical order on the title page of the tariff, and the index of such points of origin or destination, as the case may be, may be omitted.

- (f) If points of origin or of destination are shown throughout the tariff of rates, or throughout one or more sections of such tariff, alphabetically, or if points of origin or of destination are shown throughout the tariff of rates in continuous alphabetical order no index of such points of origin or of destination will be required. But when such alphabetical arrangement in the tariff is used, the table of contents must refer to the pages on which points are shown.
- (g) Explanation of symbols, reference marks, and abbreviations of technical terms used in the tariff or supplement, except that the explanation of a reference mark or symbol used only in connection with particular items or rates shall also be shown on the page on which used. The symbols shall be used for the purposes indicated and shall not be used for any other purpose in any tariff. Symbols will be a distinct single character, readily identifiable, and not unduly duplicative of common letters or numerals used to designate items or lines in the tariff. Industry standard symbols may be used. At the minimum, symbols will be developed for each of the following purposes:
 - (i) to denote reductions;
 - (ii) to denote increases;
 - (iii) to denote changes in wording which result in neither increases nor reductions in charges;
 - (iv) to denote no change in rate;
 - (v) to denote prepay stations or points;
 - (vi) to denote intrastate application only;
 - (vii) to denote reissued matter.
- (h) Each tariff and subsequent reissue thereof, shall contain a listing of the scope of authority of each carrier's operations, as contained on the carrier's Montana intrastate certificate of public convenience and necessity. Where the tariff has both interstate and intrastate application, both authorities shall be shown. Except when changes have been authorized, the scope of authority need not be brought forward in supplements.
- (i) List of exceptions, if any, to the classification or classification exception tariff or tariffs governing the tariff. Such explanatory statements are to be in clear and explicit terms regarding the rates and rules contained in the tariff as may be necessary to remove all doubt as to their proper application.
- (j) Rules and regulations which govern the tariff, the title or subject of each rule or regulation to be shown in distinctive type. Under this head all of the rules, regulations, or conditions which in any way affect the rates named in the tariff shall be entered, except as otherwise provided in this section. A special rule affecting a particular item or rate must be specifically referred to in such item or in connection with such rate.
 - (i) Each rule or regulation should be given a separate number; portions which can be understandingly read without recourse to the whole may be published in separate paragraphs and such paragraphs be given sub-numbers or letters.
 - (ii) No rule or regulation shall be included which in any way or in any terms authorizes substituting for any rate named in the tariff a rate found in any other tariff, nor shall any rule be provided to the effect that traffic of any nature will be "taken only by special agreement" or other provision of like import.

- (iii) Where it is not desirable or practicable to include the governing rules and regulations in the rate tariff, such rules and regulations may be separately published in tariffs filed by an individual carrier or by an agent.
- (k) Tariffs which contain rates for the transportation of explosives and other dangerous articles must also contain the rules and regulations promulgated by the commission governing the transportation thereof, or must bear specific reference to the PSC (and/or ICC) number of the publication which contains such rules and regulations. When the latter plan is adopted the tariff referred to shall contain no matter other than the regulations promulgated by the commission or the interstate commerce commission.
- (l) Rates and charges shall be published in the format provided in sub-chapter 27.

Authorizing statute(s): Sec. 69-12-201, MCA

Implementing statute(s): Title 69, Chapter 12, Part 5, MCA, Eff. 12/31/72

History: AMD, 1994 MAR p. 965, Eff. 4/15/94.