



## ADMINISTRATIVE RULES OF MONTANA



### 38.5.7005 SERVICE PROVIDERS -- STANDARDS OF CONDUCT

- (1) Except as provided in (2) , a commission-regulated system services provider shall:
  - (a) apply all discretionary tariff provisions in the same manner to all persons to whom the tariff provisions apply;
  - (b) process all similar requests for service in the same manner and period of time;
  - (c) strictly enforce all mandatory tariff provisions;
  - (d) prevent any discrimination in favor of its own supply, other services, divisions, or affiliates;
  - (e) prevent all forms of self-dealing that could result in noncompetitive prices to consumers;
  - (f) grant others (e.g., consumers, suppliers) access to retail transmission, storage, and distribution on a nondiscriminatory basis at rates, terms, and conditions comparable to that which its affiliates have;
  - (g) disclose no service or market information received from a non-affiliate to others, including an affiliate (information received from an affiliate may be treated in the same fashion, unless otherwise required by these rules) ;
  - (h) disclose at the same time to all non-affiliates all service and market information disclosed to an affiliate (a non-affiliate may agree to limit the scope of information to be provided by the system services provider and may agree that information need be provided only on request) ;
  - (i) for customers requesting information on available supply, if identifying any supplier, identify all licensed gas suppliers serving in the service area in which the customer resides, and, in providing information to customers on behalf of any supplier, offer to provide information on behalf of all other suppliers on the same terms;
  - (j) make known to non-affiliates at the same time any discounts offered to an affiliate, the terms and conditions under which the discount is offered, and the means through which the non-affiliates can obtain a comparable offer (affiliates may be advised in the same fashion, unless otherwise prohibited by these rules) ; and
  - (k) function independently of its affiliate suppliers and cause its employees and employees of its affiliate suppliers to function independently, to the maximum extent practicable.
- (2) A commission-regulated system services provider having or applying for commission-approved standards of conduct to be tariffed in accordance with 69-3-1404, MCA, may request that a tariffed standard depart from the standards in this rule. The commission may grant a waiver of the

requirements in this rule upon a showing of good cause and circumstances unique to the provider's operations which justify the waiver.

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

**Implementing statute(s):** Sec. 69-3-1404, MCA

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