



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

## Energy and Telecommunications Interim Committee

---

### 65th Montana Legislature

#### SENATE MEMBERS

MARY McNALLY--Chair  
TOM RICHMOND  
SCOTT SALES  
CYNTHIA WOLKEN

#### HOUSE MEMBERS

DEREK SKEES--Vice Chair  
LAURIE BISHOP  
ZAC PERRY  
DANIEL ZOLNIKOV

#### COMMITTEE STAFF

TREVOR GRAFF, Lead Staff  
JAMESON WALKER, Staff Attorney  
NADINE SPENCER, Secretary

September 12, 2017

To: Energy and Telecommunications Interim Committee  
From: Jameson Walker, Legislative Attorney  
Re: Administrative Rule Report, September 2017

---

The Energy and Telecommunications Interim Committee (ETIC) is responsible for reviewing administrative rules promulgated by several state agencies for compliance with the Montana Administrative Procedure Act (MAPA). The ETIC has administrative rule review, draft legislation review, program evaluation, and monitoring functions for the Department of Public Service Regulation and the Public Service Commission. The following notices are filed with the Secretary of State's Office for publication in the Montana Administrative Register (MAR). Notices are available at <http://www.mtrules.org> (search by notice number).

### PROPOSAL NOTICES

#### Department of Public Service Regulation and Public Service Commission

**MAR Notice Number:** 38-5-237

**Subject:** Amendment, adoption, and repeal or rules pertaining to operator service providers.

**Summary:** The department proposes to amend 38.5.3401, 38.5.3403, and 38.5.3405. The amendments include removing outdated references to "call splashing" in the definitions, updating the commission's allowable rate rules for operator service providers, and amending the term "consumer" to "customer." The department proposes to adopt a new rule allowing the commission to conduct investigations and audits of any or all operator service providers in Montana. The department proposes to repeal 38.5.3414, pertaining to call splashing. The department states that the commission has not received complaints about call splashing and evolving technology makes the rule no longer necessary.

**Notes/Hearing:** The department will hold a public hearing on September 19, 2017.

CI0099 7254jwca.