

**Railroad and Public Service Commission, Filing of a Copy of Contract With.**

The filing of a copy of contract with the railroad and public service commission, to which such commission is not a party, in no way binds it.

December 15th, 1913.

Honorable Railroad and Public Service Commission,  
Helena, Montana.

Gentlemen:

I have at hand your communication of the 12th instant, with attached copy of a contract between the Montana States Telephone & Telegraph Company, and the Independent Telephone Company. You ask for my opinion upon the question:

“Whether or not the mere filing of a copy of this contract with the commission binds it in any way to the terms thereof, in case we should find it necessary to take exception to it at some later date?”

I am of the opinion that the filing of this contract, which is between two private parties and to which the commission is in no way a party, would not bind your commission to its terms, should you find it necessary at some future date to prescribe a different

rate of remuneration than that named in the contract. The law does not require, nor does it admit of your commission becoming a party to such a contract, and your possession of it would merely put in your hands evidence of the agreement between the parties—if you should see fit to investigate the same.

Yours very truly,

D. M. KELLY,  
Attorney General.