

CHAPTER NO. 89.

HOUSE BILL NO. 70

INTRODUCED BY LIEN

BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION

IN THE HOUSE

January 4, 1979	Introduced and referred to Committee on Highways and Transportation.
January 6, 1979	On motion joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bill.
January 18, 1979	Committee recommend bill do pass. Report adopted.
January 19, 1979	Printed and placed on members' desks.
January 20, 1979	On motion rules suspended and bill placed on second reading this day.  Second reading, do pass.
January 22, 1979	Considered correctly engrossed.
January 23, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

January 24, 1979	Introduced and referred to Committee on Highways and Transportation.
March 1, 1979	Committee recommend bill be concurred in. Report adopted.
March 3, 1979	Second reading, concurred in.
March 6, 1979	Third reading, concurred in.

IN THE HOUSE

March 7, 1979

Returned from second house.  
Concurred in. Sent to enrolling.

Reported correctly enrolled.

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
6 69-12-505, MCA, TO REVISE AND CLARIFY THE PROVISIONS  
7 RELATING TO SUSPENSION OF PROPOSED REVISIONS OF MOTOR  
8 CARRIER RATES AND CLASSIFICATIONS, PROVIDING FOR VACATING A  
9 SUSPENSION."  
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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 69-12-505, MCA, is amended to read:  
13 "69-12-505. Suspension of proposed rate revision --  
14 hearing. (1) Upon its own initiative or upon the complaint  
15 of any interested party filed with the commission within 20  
16 days after the date upon which a change or revision of any  
17 rate, fare, charge, or classification is filed with the  
18 commission, the commission may suspend the operation of such  
19 rate, fare, charge, or classification for a period not to  
20 exceed 180 days. The order directing such suspension must  
21 be issued by the commission not less than 2 business days  
22 prior to the proposed effective date. The motor carrier or  
23 carriers filing such rate, fare, charge, or classification  
24 shall be given prompt notice by the complaining party,  
25 mailing a copy of the complaint concerning such proposed

1 change or revision to the carrier or publishing agent, and  
2 such carrier or carriers also shall be given an opportunity  
3 to reply to any such complaint. If the proposed change or  
4 revision is in a tariff issued by a tariff publishing bureau  
5 for a motor carrier or carriers, notice to such bureau of  
6 any complaint will constitute notice to the participating  
7 carriers in such tariff.

8 ~~(2) (a) If all the protests are withdrawn and the~~  
9 ~~commission finds the proposed increase justified, the~~  
10 ~~commission may vacate the suspension and permit the proposed~~  
11 ~~rates to become effective without a public hearing.~~

12 ~~(2)(b) When unless the suspension has been vacated,~~  
13 ~~whenever the suspension of any proposed change or revision~~  
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22 ~~as will support such changes or revisions. The prepared~~  
23 ~~testimony and exhibits must be filed with the commission 30~~  
24 ~~days after the effective date of such suspension. Such~~  
25 ~~testimony and exhibits may be supplemented prior to or at~~

1 ~~the time of hearing, and supplemental exhibits may be filed~~  
2 ~~after the close of the hearing at the direction or with~~  
3 ~~permission of the commission. Additional prepared testimony~~  
4 ~~may be presented before or during the hearing and may also~~  
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6 ~~commission.~~

7 (3) After considering the evidence presented at such  
8 hearing, the commission shall issue an order approving,  
9 denying, or modifying the proposed change or revision.  
10 Unless such hearing is held and such order is issued within  
11 180 days from the date upon which the suspension was  
12 ordered, the proposed change or revision shall be deemed  
13 approved and effective as filed.\*

-End-

Approved by Committee  
on Highways & Transportation

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