HOUSE BILL NO. 574

INTRODUCED BY THOMAS, QUILICI

BY REQUEST OF THE MONTANA PUBLIC SERVICE COMMISSION

IN THE HOUSE

January 30, 1985	Introduced and referred to Committee on Business and Labor.
February 12, 1985	Committee recommend bill do pass. Report adopted.
	Statement of Intent attached.
February 13, 1985	Bill printed and placed on members' desks.
February 16, 1985	Second reading, do pass.
	Considered correctly engrossed.
February 18, 1985	Third reading, passed.
	Transmitted to Senate.
IN THE	SENATE
February 19, 1985	Introduced and referred to Committee on Business and Industry.
March 28, 1985	Committee recommend bill be concurred in as amended. Report adopted.
March 30, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in. Ayes, 48; Noes, 0.
	Returned to House with amendments.

IN THE HOUSE

April 2, 1985

April 8, 1985

Received from Senate.

Second reading, amendments concurred in.

On motion, rules suspended and bill placed on third reading this day.

Third reading, amendments concurred in.

Sent to enrolling.

Reported correctly enrolled.

1	HOUSE BILL NO. 574
2	INTRODUCED BY homes Sullin
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A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW PUBLIC UTILITIES REGULATED BY THE PUBLIC SERVICE COMMISSION TO CORRECT CUSTOMER BILLING ERRORS BY BACK-BILLING NO MORE THAN 6 MONTHS FROM DISCOVERY OF THE ERROR; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9 10

- 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
- 12 Section 1. Public utility errors in billing customers.
- 13 (1) For the purposes of this section:
- 14 (a) "public utility" does not include a municipal
 15 utility as defined in chapter 7 of this title;
- 16 (b) a "customer billing error":
- 17 (i) includes any bill issued by the utility that is
 18 not designated as an estimated bill and that understates the
 19 amount owed by the customer;
- 20 (ii) includes a utility's failure to bill a customer
 21 for service provided that would be billed to the customer
 22 under the utility's normal billing practices;
- 23 (iii) excludes errors that result from the theft of 24 service by the customer; and
- 25 (iv) excludes errors involving a utility's industrial



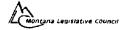
- 1 class customers.
- 2 (2) Whenever a public utility discovers a customer
- 3 billing error, the utility may submit a bill to the customer
- 4 for a period not to exceed the 6 months preceding the date
- 5 the billing error is discovered.
- 6 Section 2. The commission may adopt rules to implement
- 7 section 1.
- B Section 3. Codification instruction. Section 1 is
- 9 intended to be codified as an integral part of Title 69,
- 10 chapter 3, part 2, and the provisions of Title 69 apply to
- 11 section 1.
- 12 Section 4. Effective date. This act is effective on
- 13 passage and approval.

-End-

HB 0574/si

APPROVED BY COMM. ON BUSINESS AND LABOR

1	STATEMENT OF INTENT
2	HOUSE BILL 574
3	House Business and Labor Committee
4	
5	A statement of intent is required for this bill because
6	it grants the public service commission the authority to
7	promulgate rules to implement this section, if necessary.
8	The utility service billing errors described in subsections
9	(2)(a) and (2)(b) may take many forms, as each type of
10	utility service provided is billed in a manner peculiar to
11	the particular service, e.g., telephone versus electrical
12	billing. Given this utility billing diversity, the
13	legislature finds it necessary to allow the public service
14	commission rulemaking authority to allow the commission to
15	address unanticipated billing error problems.



49th Legislature

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HB 0574/02

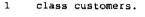
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2	INTRODUCED BY THOMAS, QUILICI
3	BY REQUEST OF THE MONTANA PUBLIC SERVICE COMMISSION
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6	UTILITIES REGULATED BY THE PUBLIC SERVICE COMMISSION TO

- 9 AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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- 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
- 12 Section 1. Public utility errors in billing customers.

CORRECT CUSTOMER BILLING ERRORS BY BACK-BILLING NO MORE THAN

6 MONTHS FROM DISCOVERY OF THE ERROR: PROVIDING RULEMAKING

- 13 (1) For the purposes of this section:
- 14 (a) "public utility" does not include a municipal
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- 22 under the utility's normal billing practices;
- 23 (iii) excludes errors that result from the theft of
- 24 service by the customer; and
- 25 (iv) excludes errors involving a utility's industrial



- 2 (2) Whenever a public utility discovers a customer
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- 12 Section 4. Effective date. This act is effective on
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HB 0574/02

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THIRD READING
HBJ74

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class customers.

passage and approval.

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1	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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.5	utility as defined in chapter 7 of this title;
.6	(b) a "customer billing error":
.7	(i) includes any bill issued by the utility that is
8	not designated as an estimated bill and that understates the
.9	amount owed by the customer;
0	(ii) includes a utility's failure to bill a customer
1	for service provided that would be billed to the customer
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3	(iii) excludes errors that result from the theft of
4	service by the customer; and
.5	(iv) excludes errors involving a utility's industrial

HOUSE BILL NO. 574

2 (2) Whenever a public utility discovers a customer 3 billing error, the utility may submit a bill to the customer for a period not to exceed the 6 months preceding the date the billing error is discovered. 6 Section 2. The commission may adopt rules to implement 7 section 1. 8 Section 3. Codification instruction. Section 1 is 9 intended to be codified as an integral part of Title 69, 10 chapter 3, part 2, and the provisions of Title 69 apply to 11 section 1. 12 Section 4. Effective date. This act is effective on

SENATE

STANDING COMMITTEE REPORT

	MARCH 27	1	85 9
MR. PRESIDENT BUSINESS & INDUSTRY We, your committee on			
having had under consideration			
third reading copy (blue) color			
LETS PUBLIC UTILITIES CORRECT CUSTOMER 6 MOS. (Kolstad)	BILLING ER	RORS BY BAC	KBILLING
Respectfully report as follows: That	HOUSE B	ILL No	574
be amended as follows:			
<pre>1. Page 1, line 24. Following: "customer;" Strike: "and"</pre>			
<pre>2. Page 2, line 1. Following: "customer" Insert: ";and (v) excludes errors in long distance services by a telecommunication</pre>	curred in tunications t	the billing	of

AND AS AMENDED
BE CONCURRED IN

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XIMIX MOLK MASS

Sen. Mike Halligan Chairman.

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2	HOUSE BILL 574
3	House Business and Labor Committee
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24	service by the customer; and
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HOUSE BILL NO. 574

2	(V) EXCLUDES ERRORS INCURRED IN THE BILLING OF LONG
3	DISTANCE SERVICES BY A TELECOMMUNICATIONS UTILITY.
4	(2) Whenever a public utility discovers a customer
5	billing error, the utility may submit a bill to the customer
6	for a period not to exceed the 6 months preceding the date

the billing error is discovered.

class customers; AND

8 Section 2. The commission may adopt rules to implement9 section 1.

Section 3. Codification instruction. Section 1 is 11 intended to be codified as an integral part of Title 69, 12 chapter 3, part 2, and the provisions of Title 69 apply to

13 section 1.

14 Section 4. Effective date. This act is effective on 15 passage and approval.

-End-