67th Legislature SB 183.2

1	SENATE BILL NO. 183
2	INTRODUCED BY G. HERTZ
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A STATUTE OF LIMITATIONS FOR OVERBILLING
5	OF REGULATED TELECOMMUNICATIONS TARIFF CHARGES; PROVIDING A 2-YEAR STATUTE OF
6	LIMITATIONS; AND PROVIDING FOR CONSISTENCY WITH FEDERAL PROVISIONS; AND PROVIDING AN
7	APPLICABILITY DATE."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11	NEW SECTION. Section 1. Overbilling of regulated telecommunications tariff charges statute
12	of limitations for recovery. (1) A person or entity alleging overbilling of tariffed telecommunications charges
13	by a regulated telecommunications company shall file the action before the commission or a court of competent
14	jurisdiction within 2 years of the date of overbilling.
15	(2) This section is intended to be consistent with limitations on actions as provided in 47 U.S.C. 415.
16	(3) For purposes of this section, the following definitions apply:
17	(a) "Overbilling" means presenting a bill to a customer of a regulated telecommunications company
18	that includes charges that overstate the amount owed by the customer pursuant to the tariff for the service as
19	approved by and on file with the commission.
20	(b) "Regulated telecommunications company" means all public utility companies that are regulated
21	pursuant to 69-3-101(1)(f), Title 69, chapter 3, part 8, and 69-3-803(10).
22	(c) "Tariffed telecommunications charges" means all charges and fees for regulated services billed by
23	a regulated telecommunications company as authorized by a tariff that has been approved by and filed with the
24	commission.
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26	NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
27	integral part of Title 69, chapter 3, part 2, and the provisions of Title 69, chapter 3, part 2, apply to [section 1].
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1	NEW SECTION. Section 3. Saving Clause. [This act] does not affect rights and duties that
2	MATURED, PENALTIES THAT WERE INCURRED, OR PROCEEDINGS THAT WERE BEGUN BEFORE THE EFFECTIVE DATE OF
3	THIS ACT].
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5	NEW SECTION. Section 4. APPLICABILITY. [THIS ACT] APPLIES TO BILLS PRESENTED TO A CUSTOMER
6	AFTER [THE EFFECTIVE DATE OF THIS ACT].
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