

~~220-207~~ CMR 5.00: ~~TARIFFS AND RATE, SCHEDULES AND CONTRACTS (OTHER COMMERCIAL MOTOR VEHICLE)~~

Section

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5.01: ~~Scope of Application~~ Applicability and Definitions

(1) Applicability. ~~2207~~ CMR 5.00 shall apply to ~~all electric, gas and water companies and all common carriers, except carriers of property by motor vehicles under M.G.L. c. 159B, subject to the Department's jurisdiction.~~

(2) Definitions. The following terms, as used in 207 CMR 5.00, shall have the following meanings:

Company: a common carrier subject to the Department's jurisdiction. ~~The term "Contracts" shall mean contracts for the sale of gas or electricity to which any gas company or electric company is a party and any contract for the sale of water to which a water company is a party, except contracts subject to M.G.L. c. 164, § 94A and except contracts for the sale of electricity subject to the jurisdiction of the Federal Power Commission.~~

Department: the Department of Telecommunications and Cable.

Tariff: a schedule of rates, terms, and conditions approved by and on file with the Department.

5.02: Format of Tariffs ~~and Rate, Schedules and Contracts~~

(1) Form. All tariffs ~~and~~, ~~schedules, and contracts~~ shall be typewritten, printed, or otherwise legibly duplicated on paper cut or folded to letter size, 8" to 8<sup>1</sup>/<sub>2</sub>" by 10<sup>1</sup>/<sub>2</sub>" to 11". ~~However, tariffs or schedules of express companies may be on 9<sup>1</sup>/<sub>2</sub>" x 11<sup>1</sup>/<sub>2</sub>" paper.~~ The impression shall be on only one side of the paper, unless printed and bound.

(2) Filing.

(a) One original submitted on three-hole punched paper and one copy all tariffs or schedules and two copies of all contracts will shall be shall also attach Letters of Advice as described in 207 CMR 5.03.

(b) The filing of a tariff or rate schedule, or the terms, conditions or regulations in connection therewith, shall not be considered the adoption of a regulation under 2207 CMR 2.00.

~~(a)~~

(3) Contents.

- (a) Each tariff or schedule shall show prominently the name of the company, firm, association or individual responsible, together with the name of any independent agency filing the tariff or schedule and its or his address.
- (b) Each Tariffs and schedules shall show plainly all requisite detail fully explain the basis of all charges to be made and all rules and regulations governing the same. In the case of tariffs or schedules filed by common the Department in the Checklist for Filings and other general filing information otherwise posted on the Department's website, as well as that required by and customarily filed with the Interstate Commerce Commission, Federal Power Commission or the Civil Aeronautics

(4) Numbering and Effective Date.

- (a) Tariffs and Schedules. Each tariff or schedule shall be designated by progressing from that last filed by the same party or in case of a new series, from No. 1. The number shall be preceded by the letters "M.D.P.U.D.T.C." Each shall show plainly, in a prominent place, the issued and date to become effective. When forwarding, sufficient time must be allowed to cover transmission in order that tariffs and schedules may become effective on date specified, which, in the case of common carriers is 30 days after the filing with the Department, and
- (b) Expedited Effective Dates. A Company may request that a tariff or schedule filing go into effect on less than 30 days notice. Such a request must: (1) specify the reason the Company is requesting effectiveness of the tariff in less than 30 days; (2) specify the requested effective date; and (3) include the necessary filing fee for each request, in addition to the tariff filing fee. Contracts.

5.03: Letters of Advice

- (1) Letter. time of filing should be accompanied by a letter of transmittal Senior Rate Analyst of the Department Secretary, showing the name of number, and effective date. The Letter of Advice Transmittal Letter

Letter of Explanation and should be sent in duplicate, ~~and one~~ One copy and returned to the sender to show the date of filing.

~~(b)~~ Letter of Explanation. All tariffs and schedules at time of filing shall be accompanied by a letter of explanation, ~~which.~~ The letter shall summarize the including any revisions made, and shall include the specific tariff number and the specific pages and section numbers being filed for consideration, set forth in

Telephone Tariffs. In addition to the information required by 220 CMR 5.03(1), tariffs

~~(2)~~ a letter which shall contain the following information:

#### 5.04: Posting of Rates

~~(1) Electric, Gas, Water and Telephone Companies.~~ All rates, charges and prices Department by a Company person or company engaged in the distribution and sale be printed, and copies thereof shall be made available at their offices.

~~(2) Common Carriers.~~ Common carriers of passengers and street railway

All matters required to be filed hereunder shall be deemed to have been filed on the date of receipt by the Department.

#### 5.06: Notice of General Rate Increases to Customers ~~of Gas, Electric, Water and Telephone~~

(1) All common carriers shall provide at least 30 days advance written notice to business and residential customers of any proposed increase to retail rates or charges. Notice shall be provided through a bill insert, bill message, separate mailing, or similar means. Website postings and toll-free recordings are not sufficient.

(2) A copy of any Notice of Rate Increase provided to consumers shall be included in any tariff or schedule filing submitted to the Department.

#### 5.07: Severability

The provisions of 207 CMR 5.00 shall be deemed severable if any particular provision(s) is (are) rendered invalid by judicial determination or by statutory amendment.

#### REGULATORY AUTHORITY:

207 CMR 5.00: M.G.L. c. 159, §§ 17, 19.

~~When any public utility makes application to the Department of Public Utilities~~

with its regular bill for charges transmitted to each customer during the next regular billing