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Synopsis: On motion of Commissioner Boissiere, seconded by Commissioner Skrmetta, concurred by Commissioner Angelle and opposed by Commissioners Campbell and Holloway, the Commission voted that the provisions of Order No. 31891 requiring that all fees and surcharges be removed within 30 days of the effective date of the Order be stayed, for 6 months (or such greater or lesser time as may be determined by the Commission), according to the following terms and conditions: 1) any carrier may choose to abide by the current ordering provisions of Order No R-31891 and cease the fees and surcharges immediately. 2) Any Carrier may file for an exception or exemption from the elimination of the fees and surcharges as delineated hereafter. 3) Any carrier that chooses to continue to collect its currently assessed fees and surcharges acknowledges that it does so subject to refund, with interest, at the legal rate prescribed annually by the legislature, from the effective date of Order No. R-31891 until the Commission rules on the request; 4) within 30 days the Commission Staff shall develop the requirements for the requests for exceptions/exemptions including the potential grounds to support such a request and the requisite supporting documentation. 5) After the development of the requirements any carrier has 30 days to make any filing seeking such an exception/exemption. 6) Within 60 days the Commission shall establish procedures for the initial administrative determination of the eligibility of a carrier for such exception/exemption; 7) Any such administrative determination shall be subject to review by the Commission; 8) Any carrier that seeks to collect new fees and/or surcharges must file a request to do so with the Commission and no such fees or surcharges may be collected absent an affirmative Commission order.

Files:

Galvez Building, 12th Floor • 602 North Fifth Street PO Box 91154 • Baton Rouge, LA 70821-9154
225-342-4404 (4999) • 800-256-2397 • 225-342-2831 (Fax)