**Section 1225.2405 Continuous Service Rates**

a) Applicability

1) This Section does not apply to motor carriers of property unless the Commission has granted a special permission.

2) This Section does not apply to motor carriers of passengers.

b) Rates may be filed which are published to apply when carrier's equipment is used exclusively by and in the continuous service of a single shipper during a specified period of time. All necessary definitions and conditions shall be provided.

c) If other than regulated intrastate traffic is used to meet the continuous use requirements, the tariff shall so state and explain all requirements.

d) Continuous service periods may not begin prior to the effective date of the tariff.

e) The tariff shall provide for other charges if the continuous service conditions are not met. Provisions may be published for the execution of an indemnity bond to guarantee payment. If charges are required to be collected for a deficit in the minimum charge or for any time during the period the equipment is not used, it shall be clear what rate is to apply on the deficit or nonuse. Consideration shall also be given as to whether the deficit or the nonuse rate will change (e.g., through general increase) during the period.

f) The tariff shall provide that the carriers will keep complete and accurate records of the movements, that the information in these records will be available to the shipper and where and when it will be available.

g) The tariff shall state whether and how the rates or conditions will be revised and the procedure to use due to disabilities such as strikes, breakdown of equipment, fire, etc., identifying the disabilities and indicating the rate or condition revisions.

h) Provisions may be published permitting discontinuance during the period for specified reasons. The provisions shall clearly state any penalty charge and the amount to be assessed for the discontinuance privilege.

i) Retroactive application of tariff amendments is not permitted.