**Section 1457.435 Disposition of Unidentified Payments, Overcharges, and Duplicate Payments Not Supported by Claims**

a) If a carrier does not have sufficient information with which to determine whether a payment is owed to the carrier or is in the proper amount, the carrier shall notify the payer of the unidentified payment within 60 days after receipt of the payment and request information that will enable the carrier to make the determination. If the carrier does not receive the information requested within 90 days from the date of notice, the carrier may treat the unidentified payment as a payment in fact of charges owing to it, except that following the 90-day period, the regular claims procedure under this Part shall be applicable.

b) Notice of unidentified payment, overcharges, and duplicate payments not supported by claims.

1) Notices shall be in writing and clearly indicate that it is a final notice and not a bill.

2) Notice shall include:

A) The check number, amount, and date;

B) The payer's name; and

C) Any additional information the carrier is able to provide, such as copies of any materials, invoices, or letters sent with the unidentified payment.

3) The final notice also must inform the payer that:

A) Applicable regulations allow the carrier to conditionally retain the payment as revenue in the absence of a timely response by the payer; and

B) Following the 90-day period the regular claims procedure shall be applicable.

c) Multiple Carrier Claims

1) When a carrier that participated in a transportation movement, but did not collect the transportation charges, finds that an overpayment has been made, that carrier shall, within 10 days, notify the collecting carrier.

2) When the collecting carrier (whether single or joint-line) discovers or is notified by a participating carrier that an overcharge or duplicate payment exists for any transportation charge that has not been the subject of a claim, the carrier shall create a file as if a claim had been submitted and shall record in the file the date it discovered or was notified of the overpayment.

3) The carrier that collected the charges shall then refund the amount of the overpayment to the person who paid the transportation charges or to the person that made duplicate payment within 30 days from the date of the discovery or notification.