MEMORANDUM

TO:

Dale Hardy Roberts, Secretary

DATE:

January 13, 2000

RE:

Authorization to File Orders of Rulemaking With the Office of Secretary of State

CASE NO:

AX-2000-114

The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file Orders of Rulemaking with the Office of Secretary of State for a Proposed Rescission and a Proposed Rule concerning the following rule:

4 CSR 240-2.070 Complaints

Sheila Lumpe, Chair

Harold Crumpton, Commissioner

Connie Murray, Commissioner/

Robert Schemenauer, Commissioner

M. Dianne Drainer, Vice Chair

Administrative Rules Stamp

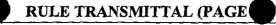
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REBECCA MCDOWELL COOK Secretary of State **Administrative Rules Division**

JAN 21 2000 SECRETARY OF STATISTION A X 2000 - 114

RULE TRANSMITTAL A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking. A. Rule Number 4 CSR 240-2.070 Diskette File Name 2.070 rescission (Word 97 format) Name of Person to call with questions about this rule: 573-751-4393 Context Nancy Dippell Phone FAX 573-751-1847 Data Entry Phone Judy Pope 573-751-6526 573-751-1847 Interagency Mailing Address Truman Bldg., 301 W. High St., Room 530, Jefferson City, MO Statutory Provision for Rulemaking Authority § 386.410 Provide Most Current RSMo Year Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo Supp. 1998, and Executive Order No. 97-97 (June 27, 1997) B. CHECK, IF INCLUDED: FORMS, List by Mo-Form Number, # of Pages Cover Letter Affidavit Cost Statements Public Entity Fiscal Note OTHER Private Entity Fiscal Note C. RULEMAKING ACTION TO BE TAKEN Emergency Rulemaking, Must Specify Effective Date Proposed Rulemaking Order of Rulemaking (MUST complete page 2 of this transmittal) Withdrawal (Rule, Amendment, Rescission or Emergency) Rule Action Notice In Addition D. SPECIFIC INSTRUCTIONS: In this space indicate any special instructions (e.g., specify publication date preference, identify material incorporated by references, etc.)





E.	ORDER OF	RULEMAKING: Rule Number	4 CSR 240-2.070
	1a.	Effective Date for the Order Statutory 30 days	or later specific date
	1b.	Does the Order of Rulemaking co	ontain changes to the rule text? NO

- 1c. If the answer is YES, please complete section F. If the answer is NO, Stop here.
- F. Please provide a complete list of the changes in the rule text for the order or rulemaking, indicating the specific section, subsection, subparagraph, part, etc., where each change is found.

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the Missouri Register and the Code of State Regulations.



Commissioners

SHEILA LUMPE Chair

HAROLD CRUMPTON

CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER Vice Chair

Missouri Public Service Commission

POST OFFICE BOX 360 JEFFERSON CITY, MISSOURI 65102 573-751-3234 573-751-1847 (Fax Number) http://www.ecodev.state.mo.us/psc/

January 21, 2000

GORDON L. PERSINGER
Acting Executive Director
Director, Research and Public Affairs

WESS A. HENDERSON Director, Utility Operations

ROBERT SCHALLENBERG Director, Utility Services

DONNA M. KOLILIS Director, Administration

DALE HARDY ROBERTS Secretary/Chief Regulatory Law Judge

> DANA K. JOYCE General Counsel

Honorable Rebecca McDowell Cook Secretary of State 600 West Main Street Jefferson City, Missouri 65101

ATTENTION: Administrative Rules Division

I do hereby certify that the attached are accurate and complete copies of the Orders of Rulemaking lawfully submitted by the Missouri Public Service Commission for filing this 21st day of January, 2000.

Rules: 4 CSR 240-2.010 - Definitions

4 CSR 240-2.040 - Practice Before the Commission

4 CSR 240-2.050 – Computation of Effective Dates

4 CSR 240-2.060 – Applications

4 CSR 240-2.065 - Tariff Filings Which Create Docketed Cases

4 CSR 240-2.070 - Complaints

4 CSR 240-2.075 - Intervention

4 CSR 240-2.080 - Pleadings

4 CSR 240-2.090 - Discovery and Prehearings

4 CSR 240-2.100 - Subpoenas

4 CSR 240-2.110 - Hearings

4 CSR 240-2.115 - Nonunanimous Stipulations and Agreements

4 CSR 240-2.116 - Dismissal

4 CSR 240-2.120 - Presiding Officers

4 CSR 240-2.125 - Procedures for Use of a Presiding Officer

in Settlement Negotiations

4 CSR 240-2.130 - Evidence

4 CSR 240-2.140 - Briefs and Oral Arguments

4 CSR 240-2.150 - Orders of the Commission

4 CSR 240-2.160 - Rehearings or Reconsideration

4 CSR 240-2.170 - Forms

4 CSR 240-2.180 - Rulemaking

4 CSR 240-2.200 - Small Company Rate Increase Procedure

Honorable Rebecca McDowell Cook Page two January 21, 2000

Statutory authority: Section 386.410, RSMo Supp. 1998

Missouri Public Service Commission Case Nos.: AX-2000-108, AX-2000-110 through AX-2000-116,

and AX-2000-118 through AX-2000-131

If there are any questions, please contact: (These rules are assigned to several regulatory law judges.

Please refer to the transmittal form for the name, phone number and fax number of the regulatory law judge assigned

to a particular rule.)

BY THE COMMISSION

Hole Hred Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

DHR:jp

Enclosures: Packets for 22 Orders of Rulemaking

Orders of Rulemaking in Word 97 format on 3-1/2" diskette

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 2—Practice and Procedure

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.410, RSMo Supp. 1998, the commission rescinds a rule as follows:

4 CSR 240-2.070 Complaints is rescinded.

A notice of proposed rulemaking containing the text of the proposed rescission was published in the *Missouri Register* on Oct. 1, 1999 (24 MoReg 2325). No changes were made in the text of the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: This rescission was proposed in conjunction with a replacement proposed rule. The comments received were directed to the proposed rule.