

## 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

**RECEIVED**

JAN 21 2000

SECRETARY OF STATE  
ADMINISTRATIVE RULES DIVISION

AK-2000-114

**REBECCA MCDOWELL COOK**  
Secretary of State  
Administrative Rules Division  
**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:  
Context Nancy Dippell Phone 573-751-4393 FAX 573-751-1847  
Data Entry Judy Pope Phone 573-751-6526 FAX 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 1998  
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.)

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**RULE TRANSMITTAL (PAGE**

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 contain changes to the rule text?

YES \_\_\_\_\_ 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*.

Add additional sheet(s), if more space is needed.



*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

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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



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.