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SECRETARY OF STATE
ADMINISTRATIVE RULES

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Missouri Public Service Commission

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

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
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Director, Utility Services
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Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

September 26, 2003

Honorable Matt Blunt
Secretary of State
600 West Main Street
Jefferson City, Missouri 65101

Joint Committee on Administrative Rules
Room B-8A
Capitol Building
Jefferson City, Missouri 65101

Dear Secretary Blunt:

Attention: Administrative Rules Division – Rule 4 CSR 240-32.190 (Standards for Providing Caller Identification Blocking Service)

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the emergency rule lawfully submitted by the Missouri Public Service Commission on this 26th day of September 2003.

I further certify that the emergency rule is supported by a compelling governmental interest, the reasons for which are stated in the emergency statement.

Statutory authority: Sections 386.040, 386.250 and 392.200, RSMo 2000.

Effective date of the rule: October 6, 2003

Missouri Public Service Commission Case No. **TX-2004-0158**.



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If there are any questions, please contact: Keith R. Krueger, Deputy General Counsel
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, Missouri 65102
(573) 751-4140

BY THE COMMISSION

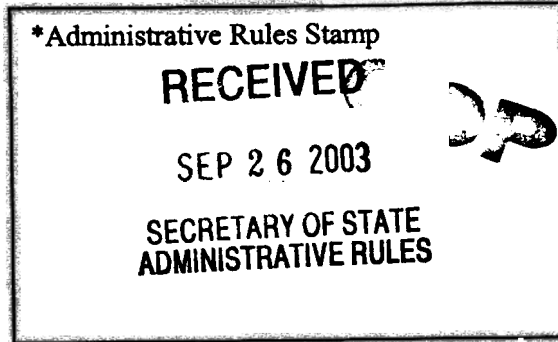
A handwritten signature in dark ink, appearing to read 'Dale Hardy Roberts', is written over a light blue rectangular background.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Enclosures: Proposed Emergency Rule 4 CSR 240-32.190 (Standards for Providing Caller Identification Blocking Service); electronic copy on 3.5" diskette; Rule Transmittal.

MATT BLUNT

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 240-32.190
Diskette File Name Rulemaking 4 CSR-240-32.190
Name of person to call with questions about this rule:
Content Keith Krueger Phone 573-751-4140 FAX 573-751-9285
Data entry Lesli Belt Phone 573-751-7499 FAX Same as above
Email address keithkrueger@psc.state.mo.us
Interagency mailing address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 386.040, 386.250 and 392.200 Current RSMo date 2000
Date filed with the Joint Committee on Administrative Rules September 26, 2003

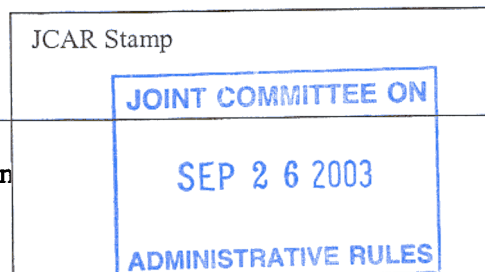
B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☒ Emergency rulemaking, (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date October 6, 2003
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
☐ Order of Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
☐ Rule action notice
☐ In addition
☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).



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

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

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☐ Statutory 30 days

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 of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 32 – Telecommunications Service**

RECEIVED

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**SECRETARY OF STATE
ADMINISTRATIVE RULES**

EMERGENCY RULE

4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service

PURPOSE: *The purpose of this rule is to set forth standards to be followed for Caller Identification Blocking Service.*

EMERGENCY STATEMENT: *This emergency rule is necessary to protect the health, safety and welfare by establishing uniform standards and procedures to be followed by all telecommunications companies statewide in providing caller identification blocking service. Although telecommunications companies currently provide call blocking services to prevent the telephone number and identity of a caller from being displayed on the telephone of the called party, the call blocking procedures are not uniform throughout the state, and the commission recently has received information from individuals representing domestic violence shelters that some calls of a sensitive nature are not being blocked as intended. When such sensitive calls placed by law enforcement agencies or domestic violence intervention agencies to persons in distress or in need of emergency assistance are not blocked as intended, the identity of the caller may be unintentionally revealed to a person who has access to the called party's telephone and who desires to harm the called party. This creates a danger to the safety of the called parties in such circumstances and impedes the efforts of law enforcement agencies and domestic violence agencies. Because of this situation, the commission finds an immediate danger to the health, safety and welfare and a compelling governmental interest which requires this emergency action. In taking this action, the commission believes that it has used procedures best calculated to provide fairness to all interested persons and parties under the circumstances due to the fact that an essentially similar rule has been circulated for industry review and comment as part of a larger regular rulemaking on company information exchanges. Further, this emergency rule will have no fiscal impact on any state agency, and will have very little or no fiscal impact on any telecommunications company, business or individual. The scope of this emergency rule is limited to the circumstances that created the emergency and that require emergency action, and the rule complies with the protections extended in the Missouri and United States Constitutions. A proposed rule covering the same material will be published in a forthcoming edition of the Missouri Register. This emergency rule was filed September 26, 2003, effective October 6, 2003, and expires April 3, 2004.*

(1) All telecommunications companies shall provide per-line blocking for federal, state, and local law enforcement agencies and private, nonprofit, tax-exempt domestic violence intervention agencies, and the employees of these agencies who have a need for such blocking pursuant to their employment. A telecommunications company shall enable per-line blocking within a reasonable time after a request from such an agency. A telecommunications company

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may determine whether the request has been made by a law enforcement or domestic violence intervention agency.

(2) No telecommunications company shall charge any fee for per-line caller identification blocking for authorized federal, state, and local law enforcement agencies and private, nonprofit, tax-exempt domestic violence intervention agencies, and the employees of these agencies who have a need for such blocking pursuant to their employment.

AUTHORITY: sections 386.040, 386.250 and 392.200, RSMo 2000. Emergency rule filed September 26, 2003, effective October 6, 2003, expires April 3, 2004.