

FILED
February 14, 2008
Data Center
Missouri Public
Service Commission



Robin Carnahan
Secretary of State

Administrative Rules Division
Rulemaking Transmittal Receipt

Rule ID: 8295
Date Printed: 2/11/2008
Rule Number: 4 CSR 240-40.030
Rulemaking Type: Final Order Amendment
Date Submitted to Administrative Rules Division: 2/11/2008
Date Submitted to Joint Committee on Administrative Rules: 1/8/2008

Name of Person to Contact with questions concerning this rule:

Content: Cully Dale	Phone: 751-4255	Email: cully.dale@psc.mo.gov	Fax: NA
RuleDataEntry:	Phone:	Email:	Fax:

Included with Rulemaking:

Cover Letter

2/11/2008

Print Close

Robin Carnahan

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

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SECRETARY OF STATE
ADMINISTRATIVE RULES

Rule Number 4 CSR 240-40.030

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Cully Dale Phone 573-751-4255 FAX

Email address cully.dale@psc.mo.gov

Data Entry same Phone FAX

Email address

Interagency mailing address Public Service Comm'n, Governor Ofc Bldg, 9th Fl, Jeff City

TYPE OF RULEMAKING ACTION TO BE TAKEN

☐ Emergency rulemaking, include effective date

☐ Proposed Rulemaking

☐ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration

☒ Order of Rulemaking

Effective Date for the Order

☒ Statutory 30 days OR Specific date

Does the Order of Rulemaking contain changes to the rule text? ☒ NO

☐ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON

JAN 08 2008

ADMINISTRATIVE RULES



Commissioners

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Chairman

CONNIE MURRAY

TERRY JARRETT

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Director, Utility Operations

COLLEEN M. DALE
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON
General Counsel

February 11, 2008

Honorable Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Dear Secretary Carnahan:

Re: 4 CSR 240-40.030 Safety Standards – Transportation of Gas by Pipeline.

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission for filing on this 11th day of February, 2008.

Statutory Authority: Sections 386.250(6) RSMo 2000

If there are any questions regarding the content of this order of rulemaking, please contact:

Colleen M. Dale, Secretary
Missouri Public Service Commission
200 Madison Street, P.O. Box 360
Jefferson City, MO 65102
(573) 751-4255
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BY THE COMMISSION

Colleen M. Dale
Secretary
Missouri Public Service Commission



Commissioners

JEFF DAVIS
Chairman

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February 11, 2008

Honorable Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Re: 4 CSR 240-40.020 and .030

Dear Secretary Carnahan:

This letter pertains the January 29 telephone discussion between John Kottwitz of the PSC Staff and Sally Reid. It was discussed and agreed that certain sentences that have been in the Publisher's Note for each rule since 1989 would be retained and published as an Agency Note. Ms. Reid requested that the language for the notes be forwarded in a letter with the Orders of Rulemaking, which are as follows:

Rule 4 CSR 240-40.020

AGENCY NOTE: This rule is similar to the Minimum Federal Safety Standards contained in 49 CFR part 191, Code of Federal Regulations. Parallel citations to Part 191 are provided for gas operator convenience and to promote public safety.

Rule 4 CSR 240-40.030

AGENCY NOTE: This rule is similar to the Minimum Federal Safety Standards contained in 49 CFR part 192, Code of Federal Regulations. Parallel citations to Part 192 are provided for gas operator convenience and to promote public safety. Appendix E, contained in this rule, is a Table of Contents for 4 CSR 240-40.030.

These sentences provide information to a regulated person using the rule. We appreciate your cooperation and helpfulness in addressing this issue until we can include this information in the rule text during the next rulemakings.

BY THE COMMISSION

Colleen M. Dale
Secretary

Missouri Public Service Commission

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 40 – Gas Utilities and Gas Safety Standards

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ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Public Service Commission under sections 386.250 RSMo 2000, the commission amends a rule as follows:

4 CSR 240-40.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendments was published in the *Missouri Register* on November 15, 2007 (32 MoReg 2221). No changes have been made to the proposed amendments, so they are not reprinted here. These proposed amendments become effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on the proposed amendments was held December 17, 2007, and the public comment period ended December 17, 2007. No written comments were received and one (1) person testified at the hearing. The person testifying at the hearing was John Kottwitz on behalf of the staff of the Missouri Public Service Commission. The testimony verified the need for the proposed amendments and generally supported them.

RESPONSE: No changes have been made as a result of these comments.

JOINT COMMITTEE ON

JAN 08 2008

ADMINISTRATIVE RULES