

# John R. Ashcroft

Secretary of State  
Administrative Rules Division

## RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-40.080

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

Name of person to call with questions about this rule:

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### TYPE OF RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency rulemaking, include effective date  
☐ Proposed Rulemaking  
☐ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration  
☐ Request for Non-Substantive Change  
☐ Statement of Actual Cost  
☒ 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

FEB 22 2017

ADMINISTRATIVE RULES



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***Missouri Public Service Commission***

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Staff Director

John R. Ashcroft  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, Missouri 65101

Re: 4 CSR 240-40.080 Drug and Alcohol Testing

Dear Secretary Ashcroft,

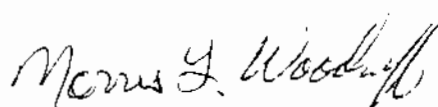
**CERTIFICATION OF ADMINISTRATIVE RULE**

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.

Statutory Authority: sections 386.250, 386.310, and 393.140, RSMo

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

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Morris L. Woodruff  
Chief Regulatory Law Judge

Enclosures

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

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250, 386.310, and 393.140, RSMo 2000, the commission amends a rule as follows:

**4 CSR 240-40.080 Drug and Alcohol Testing is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2016 (41 MoReg 1907). No changes have been made in the text of the proposed rule so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended January 17, 2017, and the Commission held a public hearing on the proposed amendment on January 20, 2017. The Commission received timely written comments from the Staff of the Missouri Public Service Commission. At the hearing, Hampton Williams, representing the Commission's Staff, made a minor correction to the Staff comments.

**COMMENT:** The Commission's Staff offered a written comment indicating that it continues to support the amendment as proposed.

**RESPONSE:** The Commission thanks Staff for its comment.

