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SECRETARY OF STATE
ADMINISTRATIVE RULES

ROBERT J. QUINN, JR.
Executive Director

Missouri Public Service Commission

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BRYAN FORBIS
ROBERT M. CLAYTON III

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 240-32.180 (Definitions – 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.



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



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Enclosures: Proposed Emergency Rule 4 CSR 240-32.180 (Definitions – Caller Identification Blocking Service); electronic copy on 3.5” diskette; Rule Transmittal.

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SECRETARY/CHIEF REGULATORY
ADMINISTRATIVE RULES

MATT BLUNT

Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp



A "SEPARATE" rule transmittal sheet **MUST** be used for **EACH** individual rulemaking.

A. Rule Number 4 CSR 240-32.180
 Diskette File Name Rulemaking 4 CSR-240-32.180
 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:

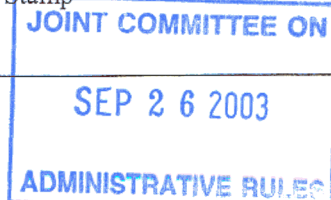
- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <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
☐ 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).

JCAR Stamp



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

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EMERGENCY RULE

SEP 26 2003

4 CSR 240-32.180 Definitions – Caller Identification Blocking Service

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

PURPOSE: *This rule defines terms used in section 4 CSR 240-32.190*

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) **Caller Identification** – A service providing for a caller's originating telephone number to appear through the use of a display box at the called party's location.
- (2) **Per-Line Blocking** – A service providing for an originating telephone number to be blocked from appearing on a display box at the called party's location. Per-line blocking is accomplished without the need of the caller to dial an access code.

JOINT COMMITTEE ON

SEP 26 2003

ADMINISTRATIVE RULES

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.

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