



Commissioners

KEVIN GUNN
Chairman

ROBERT M. CLAYTON III

JEFF DAVIS

TERRY M. JARRETT

ROBERT S. KENNEY

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>

WESS A. HENDERSON
Executive Director

VACANT
Director, Administration and
Regulatory Policy

ROBERT SCHALLENBERG
Director, Utility Services

NATELLE DIETRICH
Director, Utility Operations

STEVEN C. REED
Secretary/General Counsel

KEVIN A. THOMPSON
Chief Staff Counsel

May 16, 2011

Cindy Kadlec, Director
Joint Committee on Administrative Rules
State Capitol, Room B8
Jefferson City, Missouri 65101

Kelvin L. Simmons
Commissioner
Office of Administration
Commissioner's Office
Capitol Building, Room 125
Jefferson City, Missouri 65101

RE: Notice of Dismissal of Petition to Promulgate Rules.

Dear Ms. Kadlec and Mr. Simmons:

As required by Section 536.041, RSMo 2000, the Commission informs you that on July 7, 2010, the Office of the Public Counsel filed a motion asking the Public Service Commission to amend several sections of its rule that establishes procedures before the Commission. The Commission considered Public Counsel's petition and decided to act on that petition by undertaking a general revision of its procedural rules, including the specific revisions proposed by Public Counsel. The Commission undertook those revisions in a separate case file and those proposed revisions have been published in the Missouri Register as proposed amendments to those rules.

Since the Commission addressed Public Counsel's concerns in a different case, the rulemaking proposed in Public Counsel's petition was unnecessary. For that reason, the

Cindy Kadlec, Director
Kelvin L. Simmons, Commissioner
May 16, 2011
Page Two

Commission dismissed Public Counsel's petition for rulemaking effective on May 14. I have attached a copy of the Commission's Order.

Sincerely,



Morris L. Woodruff
Chief Regulatory Law Judge

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 4th day of May,
2011.

In the Matter of the Proposed Revisions to
4 CSR 240-2.045 and 4 CSR 240-2.080

)
) **File No. AX-2011-0007**

ORDER DISMISSING MOTION FOR PROPOSED RULEMAKING

Issue Date: May 4, 2011

Effective Date: May 14, 2011

On July 7, 2010, the Office of the Public Counsel filed a motion asking the Commission to revise its procedural rules to address specific concerns about three sections of those rules. Rather than revise its rules to address just the three concerns raised by Public Counsel, the Commission chose to revise all its procedural rules. The Commission considered those revisions in File No. AX-2011-0094 and the proposed revision of those procedural rules was published in the Missouri Register on April 15, 2011. Those revisions include all the changes proposed by Public Counsel.

Since the Commission has addressed Public Counsel's concerns in a different case, the rulemaking proposed in this case is unnecessary. For that reason, the Commission will dismiss Public Counsel's motion and close this case.

THE COMMISSION ORDERS THAT:

1. The Motion for Proposed Rulemaking filed by the Office of the Public Counsel on July 7, 2010, is dismissed.

2. This order shall become effective on May 14, 2011.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name of the Secretary.

**Steven C. Reed
Secretary**

(S E A L)

Gunn, Chm., Clayton, Davis, Jarrett,
and Kenney, CC., concur.

Woodruff, Chief Regulatory Law Judge