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November 19, 2001

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WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. KOLILIS
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. TX-2001-512

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RESPONSE**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Eric William Anderson
Assistant General Counsel
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EWA:ccl
Enclosure
cc: Counsel of Record

FILED³
NOV 19 2001

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

NOV 19 2001

Missouri Public
Service Commission

In the Matter of Proposed Amendments to)
Commission Rule 4 CSR 240-33.010,)
33.020, 33.030, 33.040, 33.060, 33.070,)
33.080, 33.110, and 33.150.)

Case No. TX-2001- 512

STAFF RESPONSE

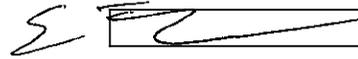
COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through its Office of General Counsel, and for its Response states as follows:

1. On March 27, 2001 the Staff filed a motion for finding of necessity for rulemaking to provide "truth in billing" changes to Chapter 33 of the Commission's rules.
2. On April 12, 2001 the Commission issued an order finding necessity for rulemaking.
3. On October 29, 2001 the Commission issued an order directing the Staff to file a response no later than November 19, 2001 as to when a proposed rule would be filed.
4. To avoid possible overlap in the Chapter 33 revision, the Staff was awaiting the completion of a proposed rule that would reorganize several provisions from different chapters into a new Chapter 3 of the Commission's rules in Case No. AX-2001-654. An order of rulemaking was issued in AX-2001-654 on June 7, 2001. According to the Staff there is one overlapping provision, 4 CSR 240-33.060, that is being proposed for revision in TX-2001-512 and is being proposed for transfer in AX-2001-654. It is Staff's understanding that the Secretary of State's office will not allow the filing of concurrent proposed changes to the same rule section. This would necessitate either AX-2001-654 or TX-2001-512 being filed and completed before the other proposal is filed.

WHEREFORE, the Staff respectfully responds that it expects to file the proposed amendments to Chapter 33 following the Chapter 3 rulemaking or will at the Commission's discretion, proceed to address the Chapter 33 amendments at this time in this case instead of in Case No. AX-2001-654.

Respectfully submitted,

DANA K. JOYCE
General Counsel



Eric William Anderson
Assistant General Counsel
Missouri Bar No. 47253

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 19th day of November 2001.



Service List for
Case No. TX-2001-512
Revised: November 19, 2001 (ccl)

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