

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 2—Practice and Procedure**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-2.061** Filing Requirements for Applications for Expanded Local Calling Area Plans Within a Community of Interest **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 520). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it is outdated and unnecessary.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 2—Practice and Procedure**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, and section 392.420, RSMo Supp. 2013, the commission rescinds a rule as follows:

**4 CSR 240-2.062** Required and Permitted Notices for Telecommunications Companies and IVoIP or Video Service Providers that Reorganize or Change Names **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 520). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it has been clarified and moved to a new Chapter 28 of the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.500** Definitions Pertaining Specifically to Telecommunication Company Rules **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 520-521). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it has been modified and moved to a new Chapter 28 of the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.505 Filing Requirements for Telecommunications Company Applications for Certificates of Interexchange Service Authority to Provide Customer-Owned Coin Telephone Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 521). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it has been modified and moved to a new Chapter 28 of the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.510 Filing Requirements for Telecommunications Company Applications for Certificates of Service Authority to Provide Telecommunications Services, Whether Interexchange, Local Exchange, or Basic Local Exchange is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 521). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it has been modified and moved to a new Chapter 28 of the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.513 Filing and Submission Requirements for Telecommunications Company Applications for Approval of Interconnection Agreements, Amendments to Interconnection Agreements, and for Notices of Adoptions of Interconnection Agreements or Statements of Generally Available Terms is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 521-522). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it has been modified and moved to a new Chapter 28 of the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.515 Filing Requirements for Telecommunications Company Applications for Certificates of Service Authority to Provide Shared Tenant Services is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 522). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it has been modified and moved to a new Chapter 28 of the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.520 Filing Requirements for Telecommunications  
Company Applications for Authority to Sell, Assign, Lease or  
Transfer Assets is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 522-523). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it is outdated and no longer needed.

**RESPONSE:** The commission thanks Staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.525 Filing Requirements for Telecommunications  
Company Applications for Authority to Merge or Consolidate  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 523). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.530 Filing Requirements for Telecommunications  
Company Applications for Authority to Issue Stock, Bonds,  
Notes and Other Evidences of Indebtedness is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 523). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.535 Filing Requirements for Telecommunications  
Company Applications for Authority to Acquire the Stock of a  
Public Utility is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 523-524). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule should be rescinded because it is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.540 Annual Report Submission Requirements for  
Telecommunications Companies is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 524). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks Staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.545 Filing Requirements for Telecommunications  
Company Tariffs is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 524). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sec-

tions 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.550 Telecommunications Company Records and  
Reports is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 524-525). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.555 Telecommunications Company Residential  
Customer Inquiries is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 525). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.560 Telecommunications Procedure for Ceasing Operations is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 525-526). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 3—Filing and Reporting Requirements**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.250 and 386.410, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.565 Procedure for Telecommunications Companies That File Bankruptcy is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 526). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 28—Telecommunications, IVoIP, Video Services**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

4 CSR 240-28.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40

MoReg 555). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** The proposed definition of "access line" in section 28.010(1) indicates it applies to lines used to provide either basic local telecommunications service or IVoIP service. Verizon contends the definition of "access line" should exclude IVoIP services because IVoIP services can be provided wirelessly and do not need to use a physical access line. In response, staff explained the definition of "access line" applies to the term's usage in section 28.050(3), which concerns requirements for the Relay Missouri assessment, for which IVoIP providers are responsible. Staff advises the commission to not change the definition.

**RESPONSE:** The commission agrees with its staff and will not make the proposed change.

**COMMENT #2:** The definition of "Intrastate" in section 28.010(9) refers to both telecommunications and IVoIP services. Verizon contends the definition should not include IVoIP service, as all IVoIP services are inherently interstate, and therefore subject to exclusive federal jurisdiction. Staff explains that the term "intrastate" is used in the rule to describe assessments and revenue reporting requirement that do apply to IVoIP services. Staff advises the commission not to change the definition.

**RESPONSE:** The commission agrees with its staff and will not make the proposed change.

**COMMENT #3:** The definition of "net jurisdictional revenue" section 28.010(10) refers to the definition found in 4 CSR 240-31.010(17). Staff explains that the term "telecommunications" was inadvertently left out of the Chapter 31 definition when that rule was revised a few years ago. The commission cannot correct section 31.010 in this rulemaking and staff recommends the commission leave the citation to the Chapter 31 definition unchanged. The Chapter 31 definition will ultimately need to be changed in a separate rulemaking. No other comments addressed this definition.

**RESPONSE:** The commission agrees with its staff and will not change the proposed definition.

**COMMENT #4:** MTIA proposes a revision to section 28.010(11)'s definition of "non-switched local exchange telecommunications service" to clarify that such service can be purchased to connect multiple customer locations. Staff supports that revision.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the suggested revision to the definition and will incorporate it into the rule.

**COMMENT #5:** MCTA points out a typographical error in section 28.010(13)'s definition of "Registration." There is an extraneous "the" in the proposed definition.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission will correct the error in the definition.

**COMMENT #6:** Staff recommends that section 28.010(14)'s definition of "retail service" be deleted as unnecessary because the defined term is not used in the rule.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with staff and will delete the definition from the rule. All subsequent sections will be renumbered accordingly.

**COMMENT #7:** MTIA proposes to remove section 28.010(16)'s definition of "switched access service" and to remove the only reference to "switched access service" in the rules, and instead refer to exchange access services in that section of the rule, 28.070(1). Staff also recommends this definition be removed.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the comment and will remove the definition from this rule. The commission will address the suggested change in section 28.070(1) in that rulemaking. All subsequent sections in this rule will be renumbered accordingly.

**COMMENT #8:** MTIA comments that section 28.010(17)'s definition of "tariff" refers to tariff documents being "submitted to" the commission. MTIA believes such documents are "filed with" the commission and would change the definition accordingly. Staff replied that it such documents are "submitted to", rather than "filed with" the commission and recommends the definition not be changed.

**RESPONSE:** This comment concerns a semantical disagreement that has no real effect on the definition. Since staff prefers "submitted to", the commission will not change the definition.

#### **4 CSR 240-28.010 Definitions**

(11) Non-switched local exchange telecommunications service—Service connecting customer locations within an exchange to other points within the exchange provisioned by facilities dedicated to these locations and points, and which facilities to not switch the service to other locations and points.

(13) Registration—The granting of a registration to provide interconnected voice over Internet protocol service or video service by the commission.

(14) Shared tenant service—Generally the provisioning of a commercially shared telecommunications service provided to residents in a building or a common limited geographic area.

(15) Tariff—A document submitted to the commission identifying the telecommunications services offered by a company and also identifying the rates, terms, and conditions for the use of such services.

(16) Total Missouri Jurisdictional Operating Revenue—A company's total revenue associated with the provisioning of intrastate telecommunications and IVoIP services. This revenue includes a company's net jurisdictional revenue, wholesale revenues, and any revenue received from the Missouri Universal Service Fund minus wholesale uncollectibles. Total Missouri jurisdictional operating revenue is annually reported and is used for the commission assessment.

(17) Wholesale service—Telecommunications or IVoIP services provided to other telecommunications or IVoIP service providers.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 28—Telecommunications, IVoIP, Video Services**

#### **ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

**4 CSR 240-28.020** is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 555-556). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** Section 28.020(3) requires all phone companies to provide current contact information. It then says that "any company with telecommunications or IVoIP service certification or registration is subject to additional reporting requirements." MCTA asks the commission to clarify that section to make it clear that the "additional reporting requirements" are those established in 28.040, and not some future additional reporting requirements. Staff concurs with MCTA's comment.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the comment and will make the recommended change.

**COMMENT #2:** Level 3 expresses its support for section 28.020(5), which clearly states that interconnection agreements that are not filed with the commission are not effective.

**RESPONSE:** The commission thanks Level 3 for its comment.

#### **4 CSR 240-28.020 General Provisions**

(3) All companies receiving certification or registration from the commission shall maintain updated contact information. Any company with telecommunications service certification or registration or IVoIP service registration is subject to additional reporting requirements as set forth in 4 CSR 240-28.040.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 28—Telecommunications, IVoIP, Video Services**

#### **ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

4 CSR 240-28.030 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 556-558). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** Section 28.030(1) lists the forms of certification or registration the commission grants, and says a company may be granted "one or all" of these certifications. MTIA asks the commission to clarify the rule to indicate a company may be granted "one or more" certificates or registrations rather than "one or all." Staff concurs in that recommendation.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees the clarification is appropriate and will modify the section accordingly.

**COMMENT #2:** Staff advises the commission to insert the word "exchange" into subsection 28.030(1)(B) so it reads "non-switched local exchange telecommunications service."

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees the change is necessary and will modify the subsection accordingly.

**COMMENT #3:** Staff advises the commission to insert the word "exchange" into section 28.030(4) so it reads "non-switched local exchange telecommunications service."

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees the change is necessary and will modify the section accordingly.

**COMMENT #4:** MCTA notes a typographical error in paragraph 28.030(9)(A)2.

**RESPONSE:** The error that MCTA noted appears in the proposed rule document that the commission initially sent to the secretary of state, and which was included in the commission's case file. However, that error was corrected before the proposed rule was published in the *Register*. The proposed rule as it was published in the *Register* is correct and no change is needed.

#### 4 CSR 240-28.030 Certification or Registration Requirements

(1) The commission grants the following forms of certification or registration:

(B) Certificate of service authority to provide non-switched local exchange telecommunications service;

A company may be granted one (1) or more of these certifications or registrations, in a single application or in multiple applications.

(4) An application to provide basic local telecommunications service, non-switched local exchange telecommunications service, interexchange telecommunications service, and IVoIP service shall include the following requirements:

#### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

##### Division 240—Public Service Commission Chapter 28—Telecommunications, IVoIP, Video Services

#### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

4 CSR 240-28.040 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 558-559). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** MCTA asks the commission to revise the procedures for requesting an extension of time to file an annual report described in subsection 28.040(2)(B). MCTA says its changes are designed to avoid confusion regarding the application of the rule to requests for extension submitted after April 15, or for more than thirty (30) days. Staff replied that it believes the language included in the proposed rule is sufficient.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with MCTA that the proposed revised language appropriately clarifies the procedure for requesting an extension. The commission will make the proposed modification.

**COMMENT #2:** MTIA asks the commission to correct a reference in subsection 28.040(3)(A) from "annual report" to "statement of revenue."

**RESPONSE AND EXPLANATION OF CHANGE:** MTIA is correct. The reference should be to the statement of revenue form. The commission will make the proposed modification.

**COMMENT #3:** Staff advises the commission to delete paragraph 28.040(4)(C)3. because it duplicates the provisions of subsection 28.040(4)(B), and is, therefore, unnecessary.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the comment and will delete the paragraph.

**COMMENT #4:** In its written comments, AT&T objects to section 28.040(5), which requires telecommunications companies to notify the commission of any major service outage and describes detailed information that such companies must submit about such outages. AT&T argues there is no need for such a rule, as the commission no longer has authority to deal with such outages. At the hearing, staff announced compromise language, to which AT&T agreed.

**RESPONSE AND EXPLANATION OF CHANGE:** The compromise language appropriately recognizes the commission's limited need to be informed about service outages. The commission will modify the section to adopt the compromise language.

**COMMENT #5:** In its written comments, AT&T objects to section 28.040(6), which requires telecommunications companies to file a disaster recovery plan with the commission. AT&T argues there is no need for such a rule, as the commission no longer has authority in that area. At the hearing, staff announced compromise language, to which AT&T agreed.

**RESPONSE AND EXPLANATION OF CHANGE:** The compromise language appropriately recognizes the commission's authority in this area. The commission will modify the section to adopt the compromise language.

**COMMENT #6:** AT&T objects to section 28.040(7), which requires companies to notify the commission if they file for bankruptcy. It argues there is no need for such a rule because the commission no longer has authority in that area. Staff replied to that comment by explaining that the bankruptcy notification requirement described in the rule is needed to allow staff to manage the process by which it collects required financial assessments from companies. Staff says the requirement should not be burdensome on the companies and should be retained.

**RESPONSE:** The commission believes staff has adequately explained the need to require notification when a company has filed for bankruptcy. The commission will not make the change requested by AT&T.

#### **4 CSR 240-28.040 Reporting Requirements**

(2) **Annual Report.** A company certificated to provide telecommunications service or registered to provide IVoIP service shall submit an annual report to the commission. A company providing shared tenant services or payphone services is not required to submit an annual report. Annual report requirements are listed below:

(B) The deadline for a company to submit a completed annual report is April 15.

1. A company that is unable to meet the April 15 submission date deadline may request an extension of this deadline by filing a letter through EFIS. The letter shall include an explanation for failing to meet the deadline and the date by which the annual report will be filed.

A. If a request for extension is made prior to the filing deadline, a thirty- (30-) day extension will automatically be granted.

B. Requests for an extension greater than thirty (30) days or requests after the filing deadline for an extension will be handled on a case-by-case basis depending on the explanation contained in the request.

2. A company that misses the filing deadline and has not requested an extension shall be considered delinquent and appropriate actions may be pursued;

(3) **Statement of Revenue Report.** All IVoIP providers and companies certificated to provide telecommunications services, including payphone providers and shared tenant service providers, shall submit a statement of revenue. Statement of revenue requirements are listed below:

(A) All companies shall use the statement of revenue report form provided by the commission on the commission's website.

1. A Notary Public shall witness and sign the form;

(4) **Net Jurisdictional Revenue Report.** A company certificated to provide telecommunications service or registered to provide IVoIP service shall submit a net jurisdictional revenue report to the Missouri universal service fund administrator. This report requires a company to identify its net jurisdictional revenue as that term is defined in this chapter. Listed below are clarifications about net jurisdictional revenue and the net jurisdictional report:

(C) A company applying a bundled rate for a telecommunications or IVoIP service with a package of services that are not considered to be telecommunications or IVoIP services may report net jurisdictional revenue by applying either of the following two (2) methods:

1. Report revenue based on the unbundled service offering price for telecommunications or IVoIP service; or

2. Elect to report all bundled revenues as net jurisdictional revenue;

(5) A telecommunications company shall support the commission in its role with the State Emergency Management Agency by reporting the status of the company's telecommunications services when requested.

(6) A telecommunications company shall maintain a disaster recovery plan and shall make such plan available to the commission's staff upon request. Each telecommunications company shall provide the manager of the commission's telecommunications unit updated commission contact information for emergency response or disaster recovery efforts.

### **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

#### **Division 240—Public Service Commission Chapter 28—Telecommunications, IVoIP, Video Services**

#### **ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

#### **4 CSR 240-28.050 Assessment Requirements is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 559-560). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steimeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** Staff filed a written comment explaining that the new rule identifies all assessment requirements applicable to companies offering telecommunications service or IVoIP service. Specifically, it pertains to the commission's operating assessment, the Missouri Universal Service Fund (USF) assessment, and the Relay Missouri assessment. No one else commented about this rule.

**RESPONSE:** The commission thanks staff for its comment and will adopt the rule as proposed.

**Title 4—DEPARTMENT OF ECONOMIC  
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**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

4 CSR 240-28.060 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 560-561). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** AT&T objects to the provision in section 28.060(1) that would require telecommunications companies providing intrastate service to comply with the commission's safety standards identified in 4 CSR 240-18.010. It argues the state safety standards are duplicative of federal standards and thus unnecessary. Further, AT&T argues that state safety standards are beyond the commission's authority to impose per section 392.611, RSMo. Staff contends the safety standards are needed to ensure the telecommunications network functions properly, and thus are authorized by section 392.611.3 RSMo.

**RESPONSE:** Among other things, section 392.611.3 RSMo Supp. 2014, preserves the commission's authority to regulate intercarrier issues, including network configuration issues. The commission agrees with staff that the minimum safety requirements described in 4 CSR 240-18.010 are necessary to ensure the proper functioning of the network. Further, those requirements are not burdensome on the companies. The commission will not make the change requested by AT&T.

**COMMENT #2:** AT&T and Verizon object to the provision in section 28.060(2) that would require telecommunications companies to

ensure calls are being completed, and would forbid intentional actions to "frustrate, delay, impede, or prevent the completion of any intrastate call." They argue such a requirement is duplicative of federal standards and is therefore unnecessary and beyond the commission's authority to impose. Staff contends the call completion requirement is necessary and complements the enforcement power of the FCC.

Verizon and MCTA also object that under section 392.611, RSMo, the commission has no authority to impose call completion requirements on IVoIP providers.

**RESPONSE:** Section 392.611, RSMo Supp. 2014, restricts the commission's authority to regulate telecommunications carriers. But subsection 392.611.3 preserves the commission's authority to deal with intercarrier issues. Call completion requirements are related to intercarrier compensation issues and thus are an appropriate area for continued commission involvement under that subsection. Subsection 392.611.2 RSMo Supp. 2014, restricts the commission's authority to regulate IVoIP providers, but it also indicates the limitations on the regulation of IVoIP providers do not extend, modify, or restrict the provisions of subsection 3 of that statute. The commission has authority under subsection 3 of the statute to deal with intercarrier issues including call completion issues. That authority also applies to IVoIP providers. The commission will not modify its rule as requested in the comment.

**COMMENT #3:** Section 28.060(5) imposes a state requirement to comply with federal anti-slamming regulations. AT&T asks the commission to make compliance with the anti-slamming regulation optional; applying only to those companies electing to be subject to those requirements. Staff replies that section 392.540, RSMo 2000, requires the commission to have an anti-slamming rule.

**RESPONSE:** Staff's reading of the section 392.540, RSMo 2000, is correct. The statute clearly requires the commission to promulgate such a rule, and requires that rule to be consistent with federal rules. The commission will not modify its rule as requested in the comment.

**COMMENT #4:** Subsection 28.060(6)(A) sets procedures for resolving customer disputes. AT&T asks the commission to extend the response time for companies to respond to staff inquiries about denial or discontinuance of service issues from thirty (30) to forty-five (45) days. Staff replies that thirty (30) days for an initial response from the company is sufficient.

**RESPONSE:** The rule's allowance of thirty (30) days to give an initial response to an inquiry from staff is sufficient. The rule does not require that such inquires be fully resolved in thirty (30) days. It merely requires a response. That is not a burdensome requirement. The commission will not modify the rule as requested in the comment.

**COMMENT #5:** In a separate comment about subsection 28.060(6)(A), MCTA asks the commission to add language to clarify that the obligations concerning customer disputes apply only to end-use customers and services of the phone company, not to customers and services of interconnected companies.

**RESPONSE:** The commission does not believe that the clarification proposed by MCTA is necessary and will not modify the rule as requested in the comment.

**COMMENT #6:** Subsection 28.060(6)(B) requires staff to advise a customer of their right to file a formal complaint under the commission's rules if their dispute with the company is not otherwise resolved. AT&T asks the commission to add language requiring staff to also inform customers of their right to "invoke binding arbitration if available under the service's terms and conditions." Staff replied that it does not support AT&T's proposal because it would be impractical to determine whether binding arbitration is available to a particular customer.

**RESPONSE AND EXPLANATION OF CHANGE:** AT&T's proposal to inform customers of binding arbitration rights does not require staff to determine whether a particular customer's contract with its carrier contains an arbitration provision. It would merely require that such customer be advised that such an arbitration provision might exist. The commission agrees with AT&T's comment, and will modify the rule accordingly.

#### **4 CSR 240-28.060 Service Requirements**

(6) The following procedure will be used if the commission staff contacts a telecommunications company in order to help resolve a customer's dispute:

(B) If the matter remains unresolved after the company's final response, the commission staff shall advise the customer of his/her right to file a formal complaint with the commission pursuant to commission rule 4 CSR 240-2.070(4), or to invoke binding arbitration, if available, under the service's terms and conditions.

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#### **ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

4 CSR 240-28.070 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 561–562). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** MTIA asks the commission to modify section 28.070(1) to change a reference from "switched access service" to "exchange access service", which is consistent with a comment related to the definition of "tariff" in 4 CSR 240-28.010. MTIA also suggest the commission further modify this section to limit the requirement to maintain tariffs relating to exchange access service, by removing the requirement to maintain tariffs for other commission regulated wholesale services. Staff opposes the second suggested modification.

**RESPONSE AND EXPLANATION OF CHANGE:** The commis-

sion agrees with staff that MTIA's suggested elimination of the requirement to maintain a tariff for commission-regulated wholesale service other than exchange access service is inappropriate. The commission will change "switched access service" to "exchange access service," but will not otherwise modify the rule.

#### **4 CSR 240-28.070 Tariffs**

(1) A telecommunications company shall maintain a tariff for any commission-regulated wholesale service such as exchange access service.

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#### **ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

4 CSR 240-28.080 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 562–563). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** Section 28.080(2) addresses the adoption of an approved interconnection agreement. CenturyLink objects to a provision in the rule that would remove the ability of an Incumbent Local Exchange Carrier (ILEC) to object to a third-party-Competitive Local Exchange Carrier's (CLEC's) adoption of an existing interconnection agreement after the agreement has been in effect for more than a reasonable amount of time. CenturyLink wants to prevent the adoption of interconnection agreements that have become outdated, and argues the commission's rule would be contrary to federal requirements. CenturyLink would set a "reasonable" period for adoption at six (6) months before the agreement would expire, not including any extension agreements.

AT&T shares CenturyLink's concerns about allowing for the adoption of expiring interconnection agreements. It would allow for the consideration of such adoptions on a case-by-case basis.

MCTA opposes AT&T's comments and strongly supports the language in the proposed rule that would clarify when an interconnection agreement can be adopted. Level 3 also strongly supports the

language in the proposed rule. MCTA and Level 3 explain that the language of the rule does not allow for the adoption of expired agreements, rather it ensures that all agreements that are currently in effect, can be adopted by other competitors.

MTIA specifically takes no position on this question.  
**RESPONSE:** The commission finds that the language of the proposed rule appropriately protects the interests of all carriers. CenturyLink's rigid six- (6-) month-before-expiration rule would unreasonably deny carriers the right to compete on level ground with another carrier who might be operating under a more favorable interconnection agreement that could remain in effect for an extended period after its expiration date. AT&T's proposal to consider such adoptions on a case-by-case basis is more reasonable, but in fact, that is what the language in the proposed rule would allow. If one (1) of the parties objects to the proposed adoption, they would still have an opportunity to obtain a determination from the commission pursuant to section 28.080(2)(D). The commission will not modify the provisions of the rule in response to these comments.

**COMMENT #2:** In a separate comment about section 28.080(2), CenturyLink proposes new language to make it clear that adoptions of interconnection agreements are subject to the notice and objection provisions of subsection 20.080(2)(D) before they become effective. MTIA offers slightly different language for the same purpose. No other comment responded to the CenturyLink and MTIA proposals.  
**RESPONSE AND EXPLANATION OF CHANGE:** Some modification is necessary to clarify that adoption notices are subject to the objection provisions of subsection (2)(D). But recognition that the notice and objection provision of subsection (2)(D) applies to all adoption notices also requires adjustment to the provision in the subsection that says adoptions will become effective on the date they are properly submitted to the commission. An adoption notice cannot be allowed to be effective on the date it is submitted and still be subject to objection because it cannot go in and out of effect depending upon whether an objection is filed. As a result, the commission will modify the rule to provide that the adoption will be effective on the date allowed by the commission in its order approving the adoption.

**COMMENT #3:** AT&T urges the commission to modify section 28.080(2) to prevent third parties from adopting an amendment to an interconnection agreement without the consent of both parties to the adoption. AT&T says change is needed to conform to recent changes to federal law that would eliminate the "pick and choose" option in favor of an "all or nothing" approach that requires the adopting party to take the entire interconnection agreement without grabbing parts from other agreements. To accomplish this modification, AT&T asks the commission to strike "or amendment" from the first sentence of the section so that it would apply only to approved interconnection agreements. MTIA supports the same modification.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees that an interconnecting carrier cannot pick and choose only portions of an interconnection agreement and the proposed rule is intended to comply with that requirement. The commission will clarify the rule to make it clear that adoption of an interconnection agreement is all or nothing. Rather than delete "or amendment" from the rule, that purpose can be accomplished by changing the "or" to "any" so that the rule will allow for the adoption of an interconnection agreement and any amendments to that agreement, without implying that amendments could be adopted apart from the interconnection agreement as a whole.

**COMMENT #4:** AT&T and MTIA propose to modify subsection 28.080(2)(B), which establishes the procedure the commission will follow when an adoption request signed by two (2) parties is received. The rule, as proposed, allows such agreements to be filed in Electronic Filing and Information System (EFIS) as an informal submission, which would not open a case file. AT&T and MTIA believe that competing companies need to receive notice of such agreements and would add language to the section to require the commission to open a new

file to either approve or reject the adoption, just as it would if only one (1) party to the agreement had filed an application for approval of the adoption under subsection 28.080(2)(C).

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the comment and will modify the rule to establish a case for consideration of such interconnection agreements.

**COMMENT #5:** MTIA proposes a new section 28.080(3) that would require the incumbent local exchange carrier that is a party to an interconnection agreement to file a notice of the termination of the agreement in the case file in which the agreement was approved.

**RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with the comment and will add the new section.

#### 4 CSR 240-28.080 Interconnection Agreements

(2) An adoption of an approved interconnection agreement and any amendment that has been previously approved by the commission can be requested by either company by submitting a letter to the secretary of the commission. Approved interconnection agreements whose original term has expired, but which remain in effect pursuant to term renewal or extension provisions, will be subject to adoption for as long as the interconnection agreement remains subject to the renewal or extension provision. Any adoption is subject to objection pursuant to subsection (2)(D). The adoption will be effective on the date allowed by the commission in its order approving the adoption.

(B) If both parties have signed the signature page to the adoption the request shall be electronically filed in EFIS. Upon receipt of an adoption request signed by both parties, the commission shall open a new file and issue notice of the filing of the request. Thereafter, the commission shall expeditiously approve or reject the adoption.

(3) Termination of Interconnection Agreements—The incumbent local exchange telecommunications company that is a party to any interconnection agreement that is terminated shall notify the secretary of the commission of its termination by filing a letter in the case in which the agreement was approved.

### Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

#### Division 240—Public Service Commission Chapter 28—Telecommunications, IVoIP, Video Services

#### ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, and 386.310, RSMo 2000, section 392.450, RSMo Supp. 2013, and section 392.461, RSMo Supp. 2014, the commission adopts a rule as follows:

#### 4 CSR 240-28.090 211 Service is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 1, 2015 (40 MoReg 563-564). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rule on July 6, 2015. The commission received timely written comments from the staff of the commission (staff); the Missouri Telecommunications Industry Association (MTIA); Southwestern Bell Telephone Company, d/b/a AT&T Missouri (AT&T); CenturyTel of Missouri, LLC d/b/a CenturyLink, Embarq Missouri, Inc., d/b/a CenturyLink, Spectra Communications Group, LLC d/b/a

CenturyLink, and CenturyTel of Northwest Arkansas, d/b/a CenturyLink (CenturyLink); the Missouri Cable Telecommunications Association (MCTA); Verizon; and Level 3 Communications (Level 3). In addition, the following people offered comments at the hearing: Kenneth A. Schifman, for Sprint Communications Company, LP (Sprint); Leo Bub for AT&T; William D. Steinmeier and Pamela Halleck for Level 3; Stephanie Bell for MCTA; Becky Owenson Kilpatrick for CenturyTel; Richard Telthorst for MTIA; Matthew Feil for Windstream; and Colleen M. Dale and John Van Eschen for staff.

**COMMENT #1:** Staff filed a written comment explaining that the new rule streamlines the commission's existing rule on 211 informational and referral services. No one else commented about this rule.  
**RESPONSE:** The commission thanks staff for its comment and will adopt the rule as proposed.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 30—Telephone Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under section 386.310, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-30.020 Residential Telephone Underground Systems  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 564). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 30—Telephone Utilities**

**ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under section 386.310, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-30.040 Uniform System of Accounts—Class A and  
Class B Telecommunications Companies is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 564). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.010 General Provisions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 564-565). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.020 Definitions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 565). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely

written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

COMMENT #1: Staff explained that the rule is outdated and no longer needed.

RESPONSE: The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.040 Metering, Inspections and Tests is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 565–566). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

COMMENT #1: Staff explained that the rule is outdated and no longer needed.

RESPONSE: The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.050 Customer Services is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 566). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

COMMENT #1: Staff explained that the rule is outdated and no longer needed.

RESPONSE: The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.060 Engineering and Maintenance is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 566). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

COMMENT #1: Staff explained that the rule is outdated and no longer needed.

RESPONSE: The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.070 Quality of Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 566–567). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

COMMENT #1: Staff explained that the rule is outdated and no longer needed.

RESPONSE: The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.080 Service Objectives and Surveillance Levels  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 567). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed. Certain elements of the rule have been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.090 Connection of Equipment and Inside Wiring to  
the Telecommunications Network is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 567). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.100 Provision of Basic Local and Interexchange  
Telecommunications Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 567-568). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.120 Snap-Back Requirements for Basic Local  
Telecommunications Companies is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 568). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.130 General Provisions—Prepaid Interexchange  
Calling Services is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 568–569). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.140 Definitions—Prepaid Interexchange Calling  
Services is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 569). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.150 Qualifications for and Responsibilities of the  
Prepaid Calling Services is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 569). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.160 Customer Disclosure Requirements  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 569–570). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.170 Standards for Prepaid Calling Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 570). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.180 Definitions—Caller Identification Blocking Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 570). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 570-571). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 32—Telecommunications Service**

**ORDER OF RULEMAKING**

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

**4 CSR 240-32.200 General Provisions for the Assignment, Provision and Termination of 211 Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 571). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the provisions of the rule have been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.010 General Provisions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg

571–572). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for  
Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.020 Definitions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 572). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for  
Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.040 Billing and Payment Standards for Residential  
Customers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 572). No changes have been made in the proposed rescission, so it is

not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for  
Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.045 Requiring Clear Identification and Placement of  
Separately Identified Charges on Customer Bills is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 572–573). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for  
Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.050 Deposits and Guarantees of Payment for  
Residential Customers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 573). No changes have been made in the proposed rescission, so it is

not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.060 Residential Customer Inquiries is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 573). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.070 Discontinuance of Service to Residential  
Customers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 574). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.080 Disputes by Residential Customers  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 574). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.090 Settlement Agreements with Residential  
Customers is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 574-575). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.100 Variance is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 575). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed. Simplified variance procedures have been moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.110 Commission Complaint Procedures  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 575). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed. Simplified complaint procedures have been moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.120 Payment Discounts for Schools and Libraries  
that Receive Federal Universal Service Fund Support is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 575-576). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is no longer needed because federal regulations accomplish the same purpose.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.130 Operator Service is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 576). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.140 Pay Telephone is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 576-577). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and no longer needed.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.150 Verification of Orders for Changing  
Telecommunications Service Provider is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 577). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely

written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.160 Customer Proprietary Network Information  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 577). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

**COMMENT #1:** Staff explained that the rule is outdated and unnecessary.

**RESPONSE:** The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT**  
**Division 240—Public Service Commission**  
**Chapter 33—Service and Billing Practices for**  
**Telecommunications Companies**

**ORDER OF RULEMAKING**

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

**4 CSR 240-33.170 Relay Missouri Surcharge Billing and  
Collections Standards is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 577-578). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the staff of the commission. No one addressed the proposed rescission at the hearing.

COMMENT #1: Staff explained that the rule has been modified and moved to a new Chapter 28 in the commission's rules.

RESPONSE: The commission thanks staff for its comment and agrees the rule should be rescinded.

**Title 5—DEPARTMENT OF ELEMENTARY  
AND SECONDARY EDUCATION**  
**Division 20—Division of Learning Services**  
**Chapter 600—Office of Early and Extended Learning**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Education under section 161.092, RSMo Supp. 2014, and sections 178.691–178.699, RSMo 2000 and RSMo Supp. 2013, the board amends a rule as follows:

5 CSR 20-600.110 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2015 (40 MoReg 834). Those sections with changes are reprinted here; however, changes have been made in the incorporated by reference, *Early Childhood Development Act Administrative Manual*. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The board received one (1) comment from one (1) individual regarding the proposed amendment and grammatical changes for consistency from the department staff.

COMMENT #1: Received one (1) comment from Colleen Ratcliff, Lamar School District, noted a duplication of the term "Affiliate Quality Assessment" in section 2.5.

**RESPONSE AND EXPLANATION OF CHANGE:** The Department of Elementary and Secondary Education (department) reviewed the comment and will amend subsection (1)(B) to reflect the revision date change and the incorporated by reference material, specifically section 2.5 using the terms "Parent Questionnaire" and "Affiliate Quality Assessment" once.

**5 CSR 20-600.110 General Provisions Governing Programs Authorized Under the Early Childhood Development Act**

(1) All programs and projects carried out by school districts under the Early Childhood Development Act (ECDA) shall be conducted in conformity with—

(B) The state *Early Childhood Development Act Administrative Manual*, revised August 2015, which is incorporated by reference and made a part of this rule as published by the Department of Elementary and Secondary Education (department) and is available at the Early Learning Section, 205 Jefferson Street, PO Box 480, Jefferson City, MO 65102-0480 or on the department's website. This rule does not incorporate any subsequent amendments or additions. The *Early Childhood Development Act Administrative Manual* interprets state statutory requirements for the programs and establishes program management procedures consistent with state law and practice.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 10—Air Conservation Commission**  
**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control**  
**Regulations for the Entire State of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2013, the commission adopts a rule as follows:

10 CSR 10-6.372 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2015 (40 MoReg 753–764). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri Department of Natural Resources' Air Pollution Control Program received four (4) comments from one (1) source; the U.S. Environmental Protection Agency (EPA).

COMMENT #1: EPA commented that the purpose statement for this rule should be revised to clarify that the methodologies for reallocating allowances are not being changed, but that the rule is simply reallocating allowances for use with EPA's Cross-State Air Pollution Rule (CSAPR) trading program. Additionally, EPA commented that the purpose statement be modified to more clearly state that this rule only reallocates allowances under the federal CSAPR program and that EPA will continue to administer the federal CSAPR program.

**RESPONSE AND EXPLANATION OF CHANGE:** As a result of this comment, the rule purpose statement has been changed to more accurately state the objective of the rule.

COMMENT #2: EPA commented that subparagraphs (3)(B)2.C. and (3)(B)3.I. refer to an "entity", yet this term is not defined in the definition section of this rule or in 10 CSR 10-6.020. The term "entity", as it is used in subparagraphs (3)(B)2.C and (3)(B)3.I., refers to the individual that may request allowances set aside for newly affected units. EPA recommends that it can be the owner, operator, or designated representative (as defined in 40 CFR 97.402) of a newly affected unit that can make such a request. EPA recommends that the department provide a definition for this term in order to provide clarity.

**RESPONSE AND EXPLANATION OF CHANGE:** As a result of this comment, the term "entity" has been removed and replaced with the phrase "facility owner, operator, or designated representative" in subparagraph (3)(B)2.C., part (3)(B)2.C.(II), and part (3)(B)3.I.(I) to clarify individuals that are eligible to request allowances for newly affected units.

COMMENT #3: EPA commented that subsection (2)(A) indicates that definitions for key words and phrases used in this rule may be found in 40 CFR 97.402 and 40 CFR 97.403 promulgated as of June 30, 2014, and section (3) indicates that this rule replaces 40 CFR 97.411(a), 40 CFR 97.411(b)(1) and 40 CFR 97.412(a) as promulgated as of June 30, 2014. EPA recommends that the June 30, 2014 date be replaced with July 1, 2014, since that is the date of publication of the CFR.

**RESPONSE AND EXPLANATION OF CHANGE:** As recommended, subsection (2)(A) has been changed from June 30, 2014 to July 1, 2014 to reflect the annual publication of the *Code of Federal Regulations*.

COMMENT #4: EPA commented that part (3)(B)3.I.(I) includes a citation to subparagraph (3)(B)2.B. It appears that this may be a typo and should reference subparagraph (3)(B)2.C.

**RESPONSE AND EXPLANATION OF CHANGE:** As a result of this comment, part (3)(B)3.I.(I) has been revised to correct the reference to subparagraph (3)(B)2.C.

**10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NO<sub>x</sub> Trading Allowance Allocations**