

AX-2002-159

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**SECRETARY OF STATE
ADMINISTRATIVE RULES**

Missouri Public
Service Commission

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

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

A. Rule Number 4 CSR 240-2.117
Diskette File Name 2.117 order of rulemaking (Word 2000 format)
Name of Person to call with questions about this rule:
Context Kevin A. Thompson Phone 573-751-6514 FAX 573-526-6010
Data Entry Judy Pope Phone 573-751-6526 FAX 573-526-6010
Interagency Mailing Address Governor Office Building, 200 Madison St., Suite 900, Jefferson City, MO

Statutory Provision for Rulemaking
Authority Section 386.410 Provide Most Current RSMo Year 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED: FORMS, List by Mo-Form Number, # of Pages
 Cover Letter _____
 Affidavit _____
 Cost Statements _____
 Public Entity Fiscal Note OTHER _____
 Private Entity Fiscal Note _____

C. RULEMAKING ACTION TO BE TAKEN
 Emergency Rulemaking, Must Specify Effective Date
 Proposed Rulemaking (New Rule)
 Order of Rulemaking (MUST complete page 2 of this transmittal)
 Withdrawal of Proposed Rule
 Rule Action Notice
 In Addition

D. SPECIFIC INSTRUCTIONS: In this space indicate any special instructions (e.g., specify publication date preference, identify material incorporated by references, etc.)

E. ORDER OF RULEMAKING: Rule Number 4 CSR 240-2.117

1a. Effective Date for the Order*
Statutory 30 days _____ or later specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?*

YES	_____	NO	_____
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1c. If the answer is YES, please complete section F. If the answer is NO, Stop here.

F. Please provide a complete list of the changes in the rule text for the order or rulemaking, indicating the specific section, subsection, subparagraph, part, etc., where each change is found.

*** Not applicable — the Order of Rulemaking withdraws the Proposed Rule.**

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Missouri Public Service Commission

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Chair
CONNIE MURRAY
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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

February 1, 2002

Honorable Matt Blunt
Secretary of State
600 West Main Street
Jefferson City, Missouri 65101

ATTENTION: Administrative Rules Division

I do hereby certify that the attached are accurate and complete copies of the Order of Rulemaking lawfully submitted by the Missouri Public Service Commission for filing this 1st day of February, 2002.

Rule: 4 CSR 240-2.117 Summary Disposition of Contested Cases

Statutory authority: Section 386.410, RSMo 2000

Effective date: not applicable (the Proposed Rule is being withdrawn)

Missouri Public Service Commission Case No.: AX-2002-159

If there are any questions, please contact: Kevin A. Thompson
Deputy Chief Regulatory Law Judge
Missouri Public Service Commission
Governor Office Building
200 Madison Street, Suite 900
Post Office Box 360
Jefferson City, Missouri 65102
(573) 751-6514

BY THE COMMISSION


Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:KAT:jp

Enclosures: Order of Rulemaking (hard copy plus electronic copy in Word 2000 format on 3-1/2" disk), transmittal form

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

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**SECRETARY OF STATE
ADMINISTRATIVE RULES**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.230 and 386.410, RSMo 2000, the commission withdraws a rule as follows:

4 CSR 240-2.117 Summary Disposition of Contested Cases is *withdrawn*.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on January 16, 2002 (27 MoReg 107-108). This proposed rule is withdrawn in order to provide for a hearing.

SUMMARY OF COMMENTS: The commission received a request from the Office of the Public Counsel that a public hearing be held with regard to the proposed rule. The commission considered this request and concluded that the public interest would be best served by holding a public hearing as requested. Consequently, the proposed rule is being withdrawn and will be resubmitted with a scheduled public hearing date.