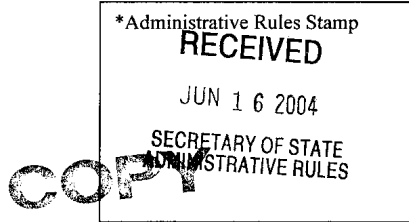


MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL



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

A. Rule Number 4 CSR 240-123.075
Diskette File Name 240-123.075 Word 2000
Name of Person to call with questions about this rule:
Content Bruce H. Bates Phone 573-751-7434 FAX 573-751-9285
Data Entry Sharon S. Wiles Phone 573-751-4873 FAX Same as above
Email Address bruce.bates@psc.mo.gov
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 700.040, 700.115 Current RSMo date 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:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input checked="" type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☒ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☒ rescission
☐ Order of Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
☐ Rule action notice
☐ In addition
☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

RULE TRANSMITTAL (PAGE 2)

- E. ORDER OF RULEMAKING: Rule Number _____
- 1a. Effective Date for the Order
☐ Statutory 30 days
Specific date _____
- 1b. Does the Order of Rulemaking contain changes to the rule text?
☐ YES ☐ NO
- 1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.
- F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

~~(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)~~

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.



Commissioners

STEVE GAW
Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

JEFF DAVIS

LINWARD "LIN" APPLING

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.mo.gov>

ROBERT J. QUINN, JR.
Executive Director

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

June 16, 2004

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 is an accurate and complete copy of the Proposed Rescission lawfully submitted by the Missouri Public Service Commission for filing this 16th day of June 2004, that a takings analysis and small business impact analysis have occurred and that this proposed rescission does not constitute a taking of real property under relevant state and federal law.

Rule: 4 CSR 240-123.075 Modular Unit Inspection Fee.

Statutory authority: 700.040 and 700.115, RSMo (2000)

Missouri Public Service Commission Case No.: MX-2004-0517

If there are any questions, please contact: Bruce H. Bates, Associate General Counsel
Missouri Public Service Commission
200 Madison St.
Post Office Box 360
Jefferson City, Missouri 65102
(573) 751-7434

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission

Enclosures

AFFIDAVIT

STATE OF MISSOURI

COUNTY OF COLE

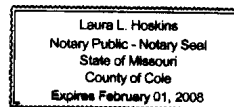


I, Anne Walker, Deputy Director of the Department of Economic Development, first being duly sworn on my oath state that it is my opinion that the cost of Proposed Rescission of Rule 4 CSR 240-123.075 is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

Anne Walker
Deputy Director
Department of Economic Development

Subscribed and sworn to before me this 2nd day of June, 2004.
I am commissioned as a notary public within the County of Cole, State of
Missouri, and my commission expires on 03-01-08.

NOTARY PUBLIC



**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 123 – Modular Units**

PROPOSED RESCISSION

4 CSR 240-123.075 Modular Unit Inspection Fee. This rule provided for the manner in which inspection fees assessed on modular unit sales are calculated by the commission and submitted by registered dealers.

PURPOSE: The Commission proposes to rescind this rule because it has not ever been enforced by the Agency, and the Agency is seeking a replacement source of funding.

AUTHORITY: sections 700.040 and 700.115, RSMo Supp. 1999. Original rule filed Sept. 5, 2000, effective April 30, 2001. Rescinded: Filed June 16, 2004.*

**Original authority: 700.040, RSMo 1973, amended 1976, 1978, 1982, 1984, 1989, 1993, 1995, 1999; 700.115, RSMo 1976, amended 1978, 1982, 1984, 1995.*

PUBLIC ENTITY COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE ENTITY COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Public Service Commission, Dale Hardy Roberts, Secretary, P.O. Box 360, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register and reference Case No. MX-2004-0517. No public hearing is scheduled.