

**MATT BLUNT**

**Secretary of State  
Administrative Rules Division  
RULE TRANSMITTAL**

**COPY RECEIVED**

\*Administrative Rules Stamp

NOV 30 2004

SECRETARY OF STATE  
ADMINISTRATIVE RULES

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

A. Rule Number 4 CSR 240-29.070  
 Diskette File Name Proposed Rule 29.070  
 Name of person to call with questions about this rule:  
 Content Keith Krueger Phone 573-751-4140 FAX 573-751-9285  
 Data entry Lesli Belt Phone 573-751-7499 FAX Same as above  
 Email address keith.krueger@psc.mo.gov  
 Interagency mailing address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
 Statutory Authority 386.040 Current RSMo date 2000  
386.250 2003  
 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).

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 \_\_\_\_\_  
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NOTE: ALL changes MUST be specified here in order for those changes to be 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

**November 30, 2004**

Mr. Matt Blunt  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: 4 CSR 240-29.070 Special Provisions for Wireless-Originated Traffic Transmitted over the LEC-to-LEC Network**

**CERTIFICATION OF ADMINISTRATIVE RULE**

I hereby certify that the attached is an accurate and complete copy of the proposed rule lawfully submitted by the Missouri Public Service Commission for filing on this 30th day of November 2004.

The Missouri Public Service Commission has determined and hereby certifies that this proposed rule will not have an economic impact on small businesses. The Missouri Public Service Commission also certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017 RSMo 2000 and that this proposed rule does not constitute a taking of real property under relevant state and federal law.

Statutory Authority: Sections 386.040 and 386.250.

If there are any questions, please contact:

Keith Krueger, Deputy General Counsel  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-4140, FAX (573) 751-9285  
[keith.krueger@psc.mo.gov](mailto:keith.krueger@psc.mo.gov)

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Dale Hardy Roberts', written over the text 'BY THE COMMISSION'.

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

**Title 4—DEPARTMENT OF  
ECONOMIC DEVELOPMENT  
Division 240—Public Service Commission  
Chapter 29 – Enhanced Record Exchange Rules**

**PROPOSED RULE**

**4 CSR 240-29.070 Special Provisions for Wireless-Originated Traffic Transmitted over the LEC-to-LEC Network**

*PURPOSE: The purpose of this rule is to establish provisions for the use of the LEC-to-LEC network by wireless carriers who elect to terminate traffic by the use of the LEC-to-LEC network.*

(1) The demarcation point for determining whether wireless-originated calls are intraMTA or interMTA shall be the location of the cellular site where the mobile call originates. It is acknowledged that technical limitations of wireless carriers' equipment may render the establishment of a demarcation point impossible for certain wireless-originated calls.

(2) Interstate, interMTA wireless-originated traffic shall be routed by wireless carriers to the facilities of an interexchange carrier.

*AUTHORITY: sections 386.040 and 386.250, RSMo 2000. Original rule filed November 30, 2004.*

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


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

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2005, and should include a reference to commission Case No. TX-2003-0301. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.state.mo.us/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 9, 2005, at 10:00 a.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.*

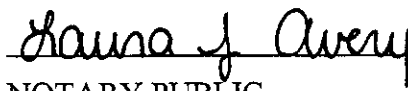
**AFFIDAVIT**

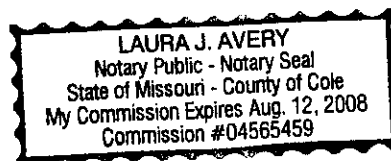
STATE OF MISSOURI     )  
                                      )  
COUNTY OF COLE        )

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 the **Proposed Rule 4 CSR 240-29.070, Special Provisions for Wireless-Originated Traffic Transmitted over the LEC-to-LEC Network** 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 4<sup>th</sup> day of November, 2004.  
I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on August 12, 2008.

  
\_\_\_\_\_  
NOTARY PUBLIC  
\_\_\_\_\_





**Matt Blunt**  
**Secretary of State**

**Administrative Rules Division**  
**Rulemaking Transmittal Receipt**

Rule ID: 2109  
Date Printed: 11/30/2004  
Rule Number: 4 CSR 240-29.070  
Rulemaking Type: Proposed Rule  
Date Submitted to Administrative Rules Division: 11/30/2004  
Date Submitted to Joint Committee on Administrative Rules:

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Name of Person to Contact with questions concerning this rule:

Content: Keith Krueger	Phone: 751-4140	Email: keith.krueger@psc.mo.gov	Fax:
RuleDataEntry: Lesli Belt	Phone: 751-7499	Email: keith.krueger@psc.mo.gov	Fax:

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Included with Rulemaking:

Cover Letter	11/30/2004
Affidavit for public cost	11/30/2004

