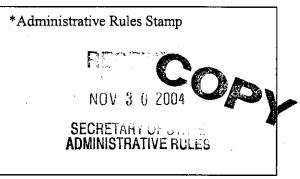
MATT BLUNT

Secretary of State Administrative Rules Division RULE TRANSMITTAL



_	A "SEPARATE" rule transmittal sheet MUST be used for EA	CH individual rulen	naking.		
A.	Rule Number 4 CSR 240-29.090				
	Diskette File Name Proposed Rule 29.090				
	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 <u>keith.krueger@psc.mo.gov</u>				
•	Interagency mailing address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO				
	Statutory Authority 386.040 386.250	Current RSMo	date 2000 2003		
	Date filed with the Joint Committee on Administrative Rules	— Evernt ner	Sections 536.024 and		
	536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 19)		Sections 550.024 and		
B.	CHECK, IF INCLUDED:				
	This transmittal completed Incorporation by reference materials, if any				
	Cover letter Authority with history of the rule				
	Affidavit Public cos	ıt			
	Forms, number of pages Private co	st			
	☐ Fiscal notes ☐ Hearing at	nd comment period			
C.	RULEMAKING ACTION TO BE TAKEN				
	Emergency rulemaking, (check one) rule amendment rescission termination				
	MUST include effective date				
	Proposed Rulemaking (check one)				
	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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	E: ALL changes MUST be specified here in order for those characteristics. <i>Missouri Register</i> and the <i>Code of State Regulations</i> .	nan			
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Add -	additional sheet(s), if more space is needed.				
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Commissioners

STEVE GAW Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

JEFF DAVIS

LINWARD "ŁIN" 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 240-29.090 Time Frame for the Exchange of Records, Invoices, and Payments for LEC-to-LEC Network Traffic

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.

Page 2 of 2 November 30, 2004

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

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 240-29.090 Time Frame for the Exchange of Records, Invoices, and Payments for LEC-to-LEC Network Traffic

PURPOSE: The purpose of this rule is to establish minimum standards for submission of billing records, invoices, and payments between carriers who originate, transit, and/or terminate LEC-to-LEC traffic.

- (1) All telecommunications companies responsible for creating and/or submitting LEC-to-LEC network billing records shall submit such records in a timely manner on or about the same day each month. This requirement shall not preclude companies from mutually establishing individual record creation cycles for individual originating carriers.
- (2) Upon receiving a correct invoice requesting payment for terminating traffic placed on the LEC-to-LEC network, the originating carrier shall submit payment within thirty (30) days to the telecommunications company that submitted the invoice.
- (3) All telecommunications companies subject to this chapter shall retain call detail records in a retrievable electronic format for not less than twelve months following call completion. In the event any calls become the subject of an objection to payment invoice, or an audit, such records shall be retained for at least ninety (90) days after completion thereof.

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 cost private entities nineteen thousand two hundred dollars (\$19,200) 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 240-29.090, **Time Frame for the Exchange of Records, Invoices, and Payments for LEC-to-LEC Network Traffic** 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 Lin 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

LAURA J. AVERY
Notary Public - Notary Seal
State of Missouri - County of Cole
My Commission Expires Aug. 12, 2008
Commission #04565459

FISCAL NOTE PRIVATE ENTITY COST

I. RULE NUMBER

Title:

Missouri Department of Economic Development

Division: Chapter:

Missouri Public Service Commission Filing and Reporting Requirements Type of Rulemaking: Proposed Rule Making

Rule Number and Name:

4 CSR 240-29.090 Time Frame for the Exchange of Records.

Invoices, and Payments for LEC-to-LEC Network Traffic.

Π. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification* by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
4	Class A Local Telephone Companies	\$19,200
0	Class B Local Telephone Companies	\$0
0	Class C Local Telephone Companies	\$0
	Class Interexchange Companies	\$0
	All entities	\$0

^{*} Class A Telephone Companies are incumbent local telephone companies with more than \$100,000,000 annual revenues system wide; Class B Telephone Companies are incumbent local telephone companies with \$100,000,000 annual revenues or less system wide; Class C Local Telephone Companies are all other companies certificated to provide basic local exchange telecommunications services, Class Interexchange Companies are long distance providers.

III. WORKSHEET

1. SBC projects a cost of \$19,200 to implement this rule. No other carrier reported a fiscal impact.

IV. ASSUMPTIONS

1. SBC projects an estimate of \$18,200 for programming requirements and \$1,000 for increased storage capacity to meet this requirement.



Matt Blunt Secretary of State

Administrative Rules Division Rulemaking Transmittal Receipt

Rule ID: 2111

Date Printed: 11/30/2004

Rule Number: 4 CSR 240-29.090 Rulemaking Type: Proposed Rule

Date Submitted to Administrative Rules Division: 11/30/2004 Date Submitted to Joint Committee on Administrative Rules:

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:

Included with Rulemaking:

Cover Letter

Private Fiscal Note Affidavit for public cost 11/30/2004 11/30/2004 11/30/2004

