

Memorandum

To: Case File
Case No. TX-2010-0159

From: John Van Eschen
Telecommunications Unit

Date: July 24, 2012

Subject: Section 536.200.2 Compliance

Section 536.200.2, RSMo 2000 requires agencies to make a filing with the Secretary of State if, after the first full year after implementation, the cost of the rule exceeds the agency estimate. The Commission Staff has investigated the cost of implementing the rule adopted by the Commission in this case and reports no information has been discovered showing the cost estimate published in the Missouri Register was inaccurate. This rulemaking, effective July 30, 2010, revised tariff filing requirements identified in 4 CSR 240-3.545 in order to allow certain tariff filings to become effective on one day's notice. The proposed rulemaking was prompted by statutory provisions contained in House Bill 1779. The rulemaking projected the proposed revisions will not create a public or private fiscal impact. No fiscal impact will have been created since the rulemaking simply eased regulatory compliance. In addition, tariff filing requirements can be totally avoided if a company options to detariff as contemplated through subsequent passage of House Bill 338. Since the published cost estimates related to the changes in the rule have not been exceeded, no *Missouri Register* publication is required under Section 536.200.2, RSMo 2000.