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FEB 08 2002

Missouri Public
Service Commission

AX-2002-67

Administrative Rules Stamp

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SECRETARY OF STATE
ADMINISTRATIVE RULES

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 240-2.130
Diskette File Name 2.130 order of rulemaking (Word 2000 format)
Name of Person to call with questions about this rule:
Context Nancy Dippell Phone 573-751-4393 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 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 or Amendment or Rescission of Existing Rule)
☒ Order of Rulemaking (MUST complete page 2 of this transmittal)
☐ Withdrawal (Rule, Amendment, Rescission or Emergency)
☐ 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.)

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number 4 CSR 240-2.130

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 ☒

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.

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
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

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

February 7, 2002

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

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 7th day of February, 2002.

Rule: 4 CSR 240-2.130 Evidence

Statutory authority: 386.410, RSMo 2000

Effective date of the rule: 30 days after publication in the *Code of State Regulations*

Missouri Public Service Commission Case No.: AX-2002-67

If there are any questions, please contact: Nancy Dippell, Senior Regulatory Law Judge
Missouri Public Service Commission
Governor Office Building, 9th Floor
200 Madison Street
Jefferson City, Missouri 65102
Phone: (573) 751-4393
E-mail: ndippell@mail.state.mo.us

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:ND:jp

Enclosures: Transmittal, 4 CSR 240-2.130 Order of Rulemaking (hard copy + copy on 3-1/2" diskette)

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FEB 07 2002

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

SECRETARY OF
ADMINISTRATIVE SERVICES

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.410, RSMo 2000, the commission amends a rule as follows:

4 CSR 240-2.130 Evidence is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2001 (26 MoReg 1966-1967). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

MEMORANDUM

TO: Dale Hardy Roberts, Secretary

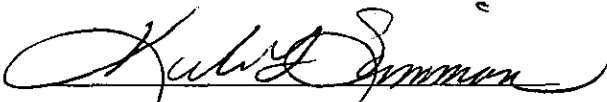
DATE: February 7, 2001

RE: Authorization to File Order of Rulemaking With the Office of Secretary of State


CASE NO: AX-2002-67

The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file an Order of Rulemaking with the Office of Secretary of State, to wit:

4 CSR 240-2.130 Evidence



Kelvin L. Simmons, Chair



Connie Murray, Commissioner



Sheila Lumpe, Commissioner



Steve Gaw, Commissioner



Bryan Forbis, Commissioner

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

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