BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of a Proposed Amendment to Commission Rule 4 CSR 240-13.020 Regarding Authorized Pay Locations	)))	**File No. AX-2015-0061**

STAFF FISCAL NOTE REVIEW

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and, as described in the Memorandum attached hereto as Appendix A, advises the Commission that it has reviewed the accuracy of the cost estimates for the implementation of the amendments to rules 4 CSR 240-13.020 published in the *Missouri Register* on July 1, 2016, (Vol. 41, No.13, pp. 839-841). Staff has not discovered any information that shows that the actual costs of implementing the rule amendments—not more than five hundred dollars in the aggregate for state agencies or political subdivisions for each rule amendment, and not more than five hundred dollars in the aggregate for private entities for each amendment—exceeded the $500 cost estimates. Therefore, the Commission is not required, pursuant to Section 536.200.2, RSMo., to publish "the original estimated cost together with the actual cost during the first fiscal year … in the Missouri Register within ninety days after the close of the fiscal year."

WHEREFORE, Staff prays the Commission accept its *Fiscal Note Review*; and grant such other and further relief as the Commission deems just in the circumstances.

Respectfully submitted,

/s/ Nicole Mers

Nicole Mers
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served electronically, or hand-delivered, or via First Class United States Mail, postage prepaid, on all parties of record herein on this 24th day of July, 2018.

/s/ Nicole Mers

M E M O R A N D U M

TO: Case File for Case No. AX-2015-0061

FROM: Contessa King, on Behalf of the Commission Staff

SUBJECT: Rule 4 CSR 240-13.020 Billing and Payment Standards

DATE: July 24, 2018

The Commission Staff has investigated the cost of implementing the rule adopted by the Commission through this case, and reports that it has not discovered any information that would show that the cost estimate published in the *Missouri Register* was inaccurate in connection with the implementation of Billing and Payment Standards, 4 CSR 240-13.020, in Case No. AX-2015-0061.

Additionally, Staff reports that it has not received any information from any party potentially or actually affected by the implementation of the subject rule that would show that the cost estimate published in the *Missouri Register* was inaccurate.

The Commission's General Procedure GP-1 ("GP-1") requires, among other things, that within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission, that the Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires the Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the subject rule, amendment or rescission. If the Staff investigation shows that the costs have not exceeded ten percent for all entities or, where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

The Staff's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200.2, RSMo 2016. This statute requires publication in the *Missouri Register* of a report of any excess cost over estimated cost, or cost over five hundred dollars, where appropriate, within 90 days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or rescission. The rule subject to this case became effective on August 30, 2016. The first full fiscal year after implementation of the rule thus ended on June 30, 2018. Accordingly, September 28, 2018, would represent the 90-day expiration period for the publication of a report regarding excess cost information in the *Missouri*

Appendix A

Register. Since the Staff's investigation indicates that 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 2016.

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AFFIDAVIT

State of Missouri)
) ss.
County of Cole)

COMES NOW Contessa King and on her oath declares that she is of sound mind and lawful age; that she contributed to the attached Memorandum; and that the same is true and correct according to her best knowledge and belief.

Further the Affiant sayeth not.

Contessa King
Contessa King

JURAT

Subscribed and sworn before me, a duly constituted and authorized Notary Public, in and for the County of Cole, State of Missouri, at my office in Jefferson City, on this 23rd day of July, 2018.

SHERYL GREGORY
Notary Public - Notary Seal
State of Missouri
Commissioned for Callaway County
My Commission Expires: February 07, 2021
Commission Number: 13450796

Sheryl Gregory
NOTARY PUBLIC