

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 150—State Board of Registration for the
Healing Arts
Chapter 7—Physician Assistants**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Registration for the Healing Arts under section 334.735, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 150-7.135 Physician Assistant Supervision Agreements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 1999 (24 MoReg 2131-2132). No changes have been made to 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: The Board received a total of sixty 60 comments, 59 in opposition of, and one in support of the proposed amendment.

COMMENT: Fifty-nine comments were received stating opposition to the mandated 100% on-site supervision by a physician.
RESPONSE: The Board and the Advisory Commission referred such comments to the judgement rendered by the Cole County Circuit Court, case number CV198-196CC.

COMMENT: One (1) comment was received from the Missouri Association of Osteopathic Physicians and Surgeons in support of the proposed amendment.

RESPONSE: The Board and the Advisory Commission referred such comments to the judgement rendered by the Cole County Circuit Court, case number CV198-196CC.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

Division 240—Public Service Commission

Chapter 18—Safety Standards

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.310, RSMo Supp. 1999, and section 394.160, RSMo 1994, the commission amends a rule as follows:

**4 CSR 240-18.010 Safety Standards—Electric and Telephone
Utilities and Rural Electric Cooperatives is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 1999 (24 MoReg 2340-2341). 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: A public hearing was held on November 3, 1999. Written comments were also submitted.

COMMENT: A comment was received from the Office of the Public Counsel indicating its support for the proposed amendment.

RESPONSE: The Commission thanks the Office of the Public Counsel for its comment.

COMMENT: A comment was received from Union Electric Company d/b/a AmerenUE indicating its support for the proposed amendment.

RESPONSE: The commission thanks Union Electric Company d/b/a AmerenUE for its comment.

COMMENT: A comment was received from the Small Telephone Company Group indicating its general support for the Commission's adoption of sections of the 1997 Edition of the *National Electric Safety Code* to replace the corresponding sections of the 1993 Edition that are adopted in the current rule. The Small Telephone Company Group suggested that the rule revision should state that it is effective only on a going forward basis.

RESPONSE: The Commission thanks the Small Telephone Company Group for its comment. A witness for the Staff of the Public Service Commission addressed the Small Telephone Company Group's concern at the public hearing. The witness indicated that the *National Electric Safety Code* already states that it applies only to new construction and does not require changes to previously existing structures. Therefore there would be no need to state in this rule that it is effective only on a going forward basis as that limitation is already implied in the *National Electric Safety Code*.

No other comments were received.