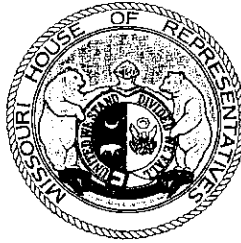


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**REX RECTOR**  
State Representative  
District 124

**RECEIVED**  
APR 29 2004

**Steve Gaw**

April 28, 2004

TO: Commissioner Steve Gaw

FROM: Rep. Rex Rector

RE: 4-29-04 Agenda

Dear Commissioner Gaw:

It has come to my attention that at your Commission hearing on 4-29-04 that the Commission will consider penalties against companies that have failed to file an annual report as required under section 293.210. The company in question is the St. John's Hospital in Joplin, MO although there may be additional like companies that may be affected. It is my understanding that St. John's, a not-for-profit hospital, is being fined over \$36,000 for failing to file a timely annual report.

In reading the statute it is clear to me that the Commission may, and has by past action, either allowed an extended time to file the proper report, or may exempt any telecommunications company from the necessity of filing annual reports until a further order of the Commission.

It surely is not the intent of the Commission to penalize not-for-profit companies or small telecommunications companies that, after being notified, fail to file the necessary paperwork.

It is the desire of the Commission to clarify the intent of this section or to give the Commission expressed authority to wave fines for small companies that simply failed to file necessary paperwork? If this is the case, then I would be happy to file a bill next year. Or work with your staff this year to find a bill that could clarify the intent of the legislature on this issue.

**COMMITTEES:**

Chairman: Communications, Energy & Technology  
Appropriations - Education • Corrections & State Institutions  
Transportation & Motor Vehicles

I know that this is the 11<sup>th</sup> hour on this issue and will need immediate attention by your staff. I am concerned that your actions may have a dramatic effect for some of our small telecommunication companies, even though this is not their principal business. Is it possible that the Commission could reconsider this issue on this agenda, with the idea of changing the order as entered.

Sincerely,

A handwritten signature in cursive script that reads "Rex Rector". The signature is fluid and stylized, with a long horizontal flourish extending from the end of the name.

Representative Rex Rector  
Dist. 124