

additional testing provided the certified herd number and current test date is shown on the Certificate of Veterinary Inspection.

B. Brucellosis-monitored herd—all sexually intact animals six (6) months of age or older must test negative for brucellosis within ninety (90) days prior to exhibition.

2. Captive cervids not known to be affected with or exposed to tuberculosis and not in a status herd, as defined in the *Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999*, must have two (2) negative tuberculosis tests, not less than ninety (90) days apart, using the single cervical method prior to exhibition. The second test must be within ninety (90) days prior to exhibition. Both negative test dates must be listed on the Certificate of Veterinary Inspection. Animals must have been isolated from other captive cervids during the testing period.

3. Movement from status herds.

A. Accredited herd—captive cervids originating from accredited tuberculosis-free cervid herds as defined by the *Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999*, may exhibit on herd status without additional testing provided the accredited herd number and current test date is shown on the Certificate of Veterinary Inspection.

B. Qualified herd—captive cervids originating from a qualified herd as defined by the *Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999*, must have one (1) negative tuberculosis test, using the single cervical method, within ninety (90) days prior to the date of movement.

C. Monitored herd—captive cervids originating from a monitored herd as defined by the *Bovine Tuberculosis Eradication Uniform Methods and Rules, Effective January 22, 1999*, must have one (1) negative tuberculosis test, using the single cervical method, within ninety (90) days prior to the date of movement.

D. Captive cervids less than twelve (12) months of age that originate from and were born in qualified or monitored herds may be moved without further tuberculosis testing, provided that they are accompanied by a */c/Certificate of Veterinary Inspection* stating that such captive cervids originated from such herds and have not been exposed to captive cervids from a lower status herd.

4. Captive cervids from an area that has been reported as a chronic wasting disease (CWD) endemic area or any cervid that has been in an endemic area in the last five (5) years will not be allowed to exhibit in Missouri.

5. Elk, elk-hybrids [*white-tailed deer*] and mule deer from all states must have participated in a surveillance program for at least three (3) years prior to exhibiting in Missouri. Other captive cervids **other than white-tailed deer** must have participated in a surveillance program recognized by the state of origin prior to exhibiting in Missouri.

6. White-tailed deer from all states must have participated in a surveillance program for at least two (2) years prior to entering Missouri.

/(E)/(D) Exotic goats, sheep and antelope. No tests are required on these animals.

/(F)/(E) Exotic equine, donkeys, asses, burros and zebras must meet domestic equine requirements.

/(G)/(F) Feral swine, javalena, and peccaries must be in compliance with domestic swine requirements.

/(H)/(G) Elephants (Asiatic, African) must be tested negative for tuberculosis within one (1) year prior to exhibition.

/(I)/(H) Importation of skunks and raccoons into Missouri is prohibited by the *Missouri Wildlife Code* (3 CSR 10-9).

/(J)/(I) Animals moving between publicly-owned American Association of Zoological Parks and Aquariums (AAZPA)-accredited zoos are exempt from section (9). **except cervids moving between publicly-owned American Association of Zoological Parks and Aquariums (AAZPA)-accredited zoos must meet the chronic wasting disease monitoring requirements as outlined in subsection (9)(C).**

AUTHORITY: section 267.645, RSMo 2000. Emergency rule filed June 28, 1977, effective July 8, 1977, expired Nov. 5, 1977. Original rule filed June 28, 1977, effective Oct. 13, 1977. For intervening history, please consult the Code of State Regulations. Amended: Filed March 15, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, Division of Animal Health, Shane Brookshire, D.V.M., State Veterinarian, PO Box 630 Jefferson City, MO 65102, by facsimile at (573) 751-6919 or via e-mail at Shane.Brookshire@mda.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

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

PROPOSED RULE

4 CSR 240-2.061 Filing Requirements for Applications for Expanded Local Calling Area Plans Within a Community of Interest

PURPOSE: The purpose of this rule is to implement a process for the commission to entertain requests for expanded local calling area plans that provide toll-free or discounted calling within a community of interest.

(1) Definitions. For the purposes of 4 CSR 240-2.061 the following definitions are applicable:

(A) Alternative local exchange telecommunications company is a local exchange telecommunications company certified by the commission to provide basic or nonbasic local telecommunications service or switched exchange access service, or any combination of such services, in a specific geographic area subsequent to December 31, 1995.

(B) Community of interest is a group of people connected by a common calling interest or need. Community of interest includes, but is not limited to, community calling to medical services providers, educational institutions, governmental or social service offices, and commercial centers.

(C) Expanded local calling area plan(s) is a plan(s) that provides toll-free or discounted calling prices to designated exchanges within a community of interest.

(D) Illustrative tariff sheets are tariff sheets which comply with 4 CSR 240-3.545 except that such tariff sheets do not contain an issued and effective date.

(E) Incumbent local exchange telecommunications company is a local exchange telecommunications company authorized to provide basic local telecommunications service in a specific geographic area as of December 31, 1995, or a successor in interest to such company.

(F) Inter-carrier compensation describes the financial arrangement used to compensate other telecommunications carriers for the use of their respective facilities in transmitting a telecommunications call.

(G) Local exchange telecommunications service is telecommunications service between points within an exchange.

(H) Metropolitan calling area (MCA) is an expanded calling area in the three (3) metropolitan areas allowing calling within and/or to metropolitan exchanges around St. Louis, Kansas City and Springfield at tiered rates. MCA telecommunications traffic originates, transits, and/or terminates pursuant to terms and conditions the Public Service Commission established in MoPSC Case Numbers TO-92-306 and TO-99-483 or as subsequently modified by commission order or rule.

(I) Subscribers are persons or companies that have contracted to receive telecommunications services.

(2) An application filed with the commission shall initiate a request for an expanded local calling area plan. The specific provisions herein shall supercede general rules contained elsewhere in this chapter. An application may be filed on behalf of:

(A) At least fifteen percent (15%) of the local exchange telecommunications service subscribers within the requesting exchange; or

(B) A governing body of a municipality or school district within the requesting exchange.

(3) The application shall comply with 4 CSR 240-2.060 and shall clearly identify and include:

(A) A description of the expanded local calling area plan;

(B) A statement explaining how the proposed plan will satisfy the objectives of the community of interest;

(C) The proposed price and terms of the plan;

(D) A statement of whether the proposed plan will be optional or mandatory for all customers in the expanded local calling scopes;

(E) A statement as to the toll or local classification of the calling plan traffic and associated inter-company compensation, if any, to be utilized to facilitate the plan; and

(F) A petition, if initiated by local exchange service subscribers as described in subsection (2)(A) above, which shall include the signatures of such subscribers, and only one (1) signature per subscriber is allowed.

(4) Each page of a petition attached to an application shall clearly identify the information in subsections (3)(A), (3)(C), (3)(D) and (3)(E) above.

(5) The commission will provide notice of the filing of the application to all incumbent local exchange telecommunications companies in the affected area and to all alternative local exchange telecommunications companies except those companies only providing prepaid local telecommunications service. The filing of the application will initiate an Electronic Filing and Information System (EFIS) notification to all interexchange telecommunications carriers. All notifications shall include instructions on how to obtain a copy of the application.

(6) Any incumbent local exchange telecommunications company serving any exchange proposed to be affected by the application shall automatically be made a party to the case.

(7) Within sixty (60) days after the filing of the application, the commission shall convene a conference of the parties. The purpose of the conference is to discuss, at a minimum, the application and determine if any modifications should be made to the application.

(8) During the conference in section (7) above, the parties shall explore how the application's proposal could be technically implemented in the most efficient manner consistent with the community of interest. The parties shall also explore the appropriate intercarrier compensation arrangement. If the application proposes a mandatory toll-free plan or an expansion of the metropolitan calling area plan, the parties shall explore an intercarrier compensation arrangement that does not involve access charges.

(9) The applicant shall file with the commission either a statement that the application remains unchanged or alternatively identify specific modifications to the application as a result of the conference in section (7) above.

(10) Within ten (10) days after the applicant's filing in section (9) above, any party objecting to the application as proposed may file with the commission, a pleading explaining why the applicant's proposal is not acceptable.

(11) Within ninety (90) days after the filing in section (9) above, any telecommunications carrier directly affected by the proposal shall file illustrative tariff sheets to implement the applicant's proposal.

(12) The illustrative tariff sheets shall identify all rate adjustment(s) necessary to implement the applicant's proposal. The company shall simultaneously file supporting documentation if it proposes to increase or establish new rates designed to maintain revenue neutrality, including the recovery of any new costs associated with implementing the proposal.

(13) The commission may hold public hearings and/or meetings in locations affected by the application.

(14) After receipt of the illustrative tariff sheets in section (12) above, the commission may hold a hearing or other appropriate proceeding. The parties will provide evidence to assist the commission in its findings.

(15) The commission, in its findings, will determine whether the proposed calling plan is just, reasonable, affordable, and in the public interest. In making these determinations, the commission will consider evidence on the competitive implications, revenue impacts, and company and social costs of implementing the proposed expanded calling plans balanced against the objectives of the community of interest. The commission will also weigh any costs against benefits to the community of interest when making its determination.

(16) The commission may modify the proposed rates, terms or conditions in its decision on the application.

AUTHORITY: section 386.250, RSMo 2000 and 392.200, RSMo Supp. 2004. Original rule filed March 4, 2005.

PUBLIC COST: This proposed rule is drafted based on recommendations in the MCA/Calling Scope Task Force Final Report in Case No. TW-2004-0471. No fiscal impact concerns were raised during the Task Force meetings. This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule is drafted based on recommendations in the MCA/Calling Scope Task Force Final Report in Case No. TW-2004-0471. No fiscal impact concerns were raised during the Task Force meetings. This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, PO Box 360, Jefferson City, MO 65102, (573) 751-3234. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. Comments should refer to Case No. TX-2005-0194. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the Commission's Electronic Filing and Information System at <http://www.psc.mo.gov/efis.asp>. A public hearing is scheduled for May 16, 2005, at 10:00 a.m. in Room 310*

of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at the hearing to submit additional comments and/or testimony in support of or in opposition to the proposed rule, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or Relay Missouri at 7-1-1.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 9—Logo Signing**

PROPOSED AMENDMENT

7 CSR 10-9.010 Public Information. The commission is amending sections (2) and (3).

PURPOSE: This amendment provides updated information as to the district office addresses.

(2) Organization. The Missouri Highways and Transportation Commission controls and acts by and through the state Department of Transportation which is directed by the [chief engineer] director. The state is geographically divided into ten (10) department districts. Each district office is headed by a district engineer responsible to the chief engineer for supervising all departmental activities within that district. Counties in each district follow: District No. 1 includes Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Harrison, Holt, Nodaway, Worth; District No. 2 includes Adair, Carroll, Chariton, Grundy, Howard, Linn, Livingston, Macon, Mercer, Putnam, Randolph, Saline, Schuyler, Sullivan; District No. 3 includes Audrain, Clark, Knox, Lewis, Lincoln, Marion, Monroe, Montgomery, Pike, Ralls, Scotland, Shelby, Warren; District No. 4 includes Cass, Clay, Henry, Jackson, Johnson, Lafayette, Platte, Ray; District No. 5 includes Benton, Boone, Callaway, Camden, Cole, Cooper, Gasconade, Maries, Miller, Moniteau, Morgan, Osage, Pettis; District No. 6 includes Franklin, Jefferson, St. Charles, St. Louis, **City of St. Louis**; District No. 7 includes Barry, Barton, Bates, Cedar, Dade, Jasper, Lawrence, McDonald, Newton, St. Clair, Vernon; District No. 8 includes Christian, Dallas, Douglas, Greene, Hickory, Laclede, Ozark, Polk, Stone, Taney, Webster, Wright; District No. 9 includes Carter, Crawford, Dent, Howell, Iron, Oregon, Phelps, Pulaski, Reynolds, Ripley, Shannon, Texas, Washington; and District No. 10 includes Bollinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Perry, St. Francois, Ste. Genevieve, Scott, Stoddard, Wayne.

(3) How to Obtain Information and Materials. Information and materials regarding logo signing may be obtained in person, or by writing or by telephoning the following District Engineer, Missouri Department of Transportation: District No. 1, 3602 North Belt Highway, PO Box 287, St. Joseph, MO 64502 [(816-232-3323)] (**816-387-2350**); District No. 2, [U.S. Route 63] **902 North Missouri Street**, P./O./ Box 8, Macon, MO 63552 (660-385-3176); District No. 3, [Highway 61 South] **1711 South Highway 61 South**, P./O./ Box 1067, Hannibal, MO 63401 [(573-221-2764)] (**573-248-2490**); District No. 4, [5117 East 31st Street, Kansas City] **600 Northeast Colbern Road, Lee's Summit**, MO [64128] **64086** [(816-921-7104)] (**816-622-6500**); District No. 5, 1511 Missouri Boulevard, P./O./ Box 718, Jefferson City, MO 65102 (573-751-3322); District No. 6, 1590 Woodlake Drive, Chesterfield, MO 63017-5712 (314-340-4100); District No. 7, 3901 East 32nd Street, P./O./ Box 1445, Joplin, MO 64802 (417-629-

3300); District No. 8, 3025 East Kearney, P./O./ Box 868, Springfield, MO 65801 [(417-866-3576)] (**417-895-7600**); District No. 9, [U.S. Business Route 63 North] **910 Springfield Road**, P./O./ Box 220, Willow Springs, MO 65793 (417-469-3134); or District No. 10, [U.S. Route 61 North of U.S. Route 60] **2675 North Main Street**, P./O./ Box 160, Sikeston, MO 63801 [(573-471-4170)] (**573-472-5333**).

AUTHORITY: Art. IV, section 29, Mo. Const., section 226.535, RSMo [1994] **2000**, 23 **United States Code** Section 131(f). Original rule filed Feb. 10, 1989, effective Aug. 29, 1990. Rescinded and readopted: Filed Jan. 3, 1991, effective June 10, 1991. Amended: Filed Sept. 15, 1998, effective April 30, 1999. Amended: Filed March 9, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Transportation, Mari Ann Winters, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 9—Logo Signing**

PROPOSED AMENDMENT

7 CSR 10-9.020 Definitions. The commission adds a new section (1) and reorganizes other sections to provide for alphabetical order and renumbers each section accordingly.

PURPOSE: This amendment adds a definition for the term "administrator," reorganizes all definitions alphabetically, and adds pharmaceuticals to the list of businesses qualifying for logo signing.

(1) "Administrator" shall mean a business which is responsible for the administration of the logo program for the department.

[(1)](2) "Business (logo) signs" shall mean a sign which may display the name, brand, symbol, trademark or a combination of these of a qualified business shown on a separate panel which is attached to a specific service sign or supplemental directional sign.

[(2)](3) "Department" shall mean the Missouri Department of Transportation.

[(3)](4) "District office" shall mean the headquarters of any one (1) of the ten (10) geographical subdivisions of the Missouri Department of Transportation. The district office may be referred to as district.

[(4)](5) "Gore" shall mean the area immediately beyond the divergence of two (2) traveled ways bounded by the edges of those traveled ways.

(6) "Interchange" shall mean a system of interconnecting roadways in conjunction with one (1) or more grade separations that