

Memorandum

To: Case File, Case No. TX-2012-0392
From: Colleen M. Dale, Telecommunications Counsel
Date: July 10, 2013
Subject: Section 536.200.2 Compliance

Section 536.200.2, RSMo 2000 requires agencies to make a filing with the Secretary of State if, after the first full year after implementation, the cost of the rule exceeds the agency estimate. The Commission Staff has investigated the cost of implementing the rule adopted by the Commission in this case and reports no information has been discovered showing the cost estimate published in the Missouri Register was inaccurate. This rulemaking, effective December 30, 2012 and revising 4 CSR 240-31.010, added an income criterion for eligibility in the telecommunications Lifeline support program. The rulemaking was the implementation of a federal mandate and the projected fiscal impact of amending the rule was expected to be minimal. The rulemaking projected the proposed rule would not create a public or private fiscal impact of more than \$500.00 per year. A randomized review of enrollment applications for the Lifeline program shows that the income standard is almost never relied upon as the sole criterion for eligibility, because enrollees who meet the income standard are usually eligible for other, easily verified, program support. Therefore, additional scrutiny, and the costs attendant thereto, has not occurred. Since 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 2000.