



Robin Carnahan
Secretary of State

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NOV 4 2010

Missouri Public
Service Commission

**Administrative Rules Division
Rulemaking Transmittal Receipt**

Rule ID: 12207
Date Printed: 11/4/2010
Rule Number: 4 CSR 240-32.190
Rulemaking Type: Proposed Amendment
Date Submitted to Administrative Rules Division: 11/4/2010
Date Submitted to Joint Committee on Administrative Rules: 11/4/2010

Name of Person to Contact with questions concerning this rule:

Content: Harold Stearley	Phone: 573-522-8459	Email: harold.stearley@psc.mo.gov	Fax:
RuleDataEntry:	Phone:	Email:	Fax:

Included with Rulemaking:

Cover Letter	11/04/2010
Affidavit for public cost	11/04/2010

Robin Carnahan

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

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SECRETARY OF STATE
ADMINISTRATIVE RULES

Rule Number 4 CSR 240-32.190

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Harold Stearley Phone 573-522-8459 FAX

Email address harold.stearley@psc.mo.gov

Data Entry same Phone FAX

Email address

Interagency mailing address Public Service Commission, 9th Fl, Gov.Ofc Bldg, JC, MO

TYPE OF RULEMAKING ACTION TO BE TAKEN

☐ Emergency rulemaking, include effective date

☒ Proposed Rulemaking

☐ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration

☐ Order of Rulemaking

Effective Date for the Order

☐ Statutory 30 days OR Specific date

Does the Order of Rulemaking contain changes to the rule text? ☐ NO

☐ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory Fairness Board (DED) Stamp

SMALL BUSINESS
REGULATORY FAIRNESS BOARD

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JOINT COMMITTEE ON

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ADMINISTRATIVE RULES



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Chairman

JEFF DAVIS

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KEVIN GUNN

ROBERT S. KENNEY

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.mo.gov>

WESS A. HENDERSON
Executive Director

DANA K. JOYCE
Director, Administration and
Regulatory Policy

ROBERT SCHALLENBERG
Director, Utility Services

NATELE DIETRICH
Director, Utility Operations

STEVEN C. REED
Secretary/General Counsel

KEVIN A. THOMPSON
Chief Staff Counsel

November 4, 2010

Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

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SECRETARY OF STATE
ADMINISTRATIVE RULES

Re: 4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service

Dear Secretary Carnahan,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed rulemaking lawfully submitted by the Missouri Public Service Commission.

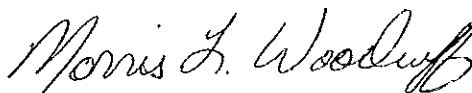
The Public Service Commission has determined and hereby certifies that this proposed rulemaking will not have an economic impact on small businesses. The Public Service Commission further certifies that it has conducted an analysis of whether there has been a taking of real property pursuant to section 536.017, RSMo 2000, that the proposed rulemaking does not constitute a taking of real property under relevant state and federal law, and that the proposed rulemaking conforms to the requirements of 1.310, RSMo, regarding user fees.

The Public Service Commission has determined and hereby also certifies that this proposed rulemaking complies with the small business requirements of 1.310, RSMo, in that it does not have an adverse impact on small businesses consisting of fewer than twenty-five full or part-time employees or it is necessary to protect the life, health, or safety of the public, or that this rulemaking complies with 1.310, RSMo, by exempting any small business consisting of fewer than twenty-five full or part-time employees from its coverage, by implementing a federal mandate, or by implementing a federal program administered by the state or an act of the general assembly.

Statutory Authority: sections 386.040, 386.250, RSMo 2000 and 392.200, RSMo Supp 2003

If there are any questions regarding the content of this proposed rulemaking, please contact:

Morris L. Woodruff, Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102
(573) 751-2849
morris.woodruff@psc.mo.gov

A handwritten signature in black ink, reading "Morris L. Woodruff". The signature is written in a cursive style with a large, stylized "M" and "W".

Morris L. Woodruff
Chief Regulatory Law Judge

AFFIDAVIT
PUBLIC COST

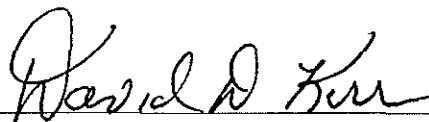
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SECRETARY OF STATE
ADMINISTRATIVE RULES

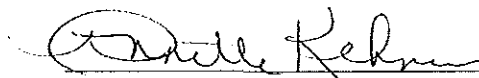
STATE OF MISSOURI)
)
COUNTY OF COLE)

I, David Kerr, Director of the Department of Economic Development, first being duly sworn, on my oath, state that it is my opinion that the cost of proposed rule, 4 CSR 240-32.190, is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

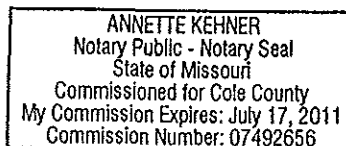


David Kerr
Director
Department of Economic Development

Subscribed and sworn to before me this 26th day of October, 2010, I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on 17 July 2011



Notary Public



Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 32 – Telecommunications Service

PROPOSED AMENDMENT

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SECRETARY OF STATE
ADMINISTRATIVE RULES

4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service

The commission is amending section (2).

PURPOSE: This amendment removes the prohibition against offering per-line call blocking to the general public.

(2) All telecommunications companies shall provide per-line blocking for federal, state, and local law enforcement agencies and private, nonprofit, tax-exempt domestic violence intervention agencies, and the employees of these agencies who have a need for such blocking pursuant to their employment. A telecommunications company shall enable per-line blocking within a reasonable time after a request from such an agency. A telecommunications company may determine whether the request has been made by a law enforcement or domestic violence intervention agency. ~~[No telecommunications company shall knowingly provide per-line blocking to any other entity or person.]~~

PUBLIC COST: Adoption of this proposed rule will not cost affected state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: Adoption of this proposed rule will not cost affected private entities more than \$500 in the aggregate.

*AUTHORITY: sections 386.040 and 386.250, RSMo 2000 and 392.200, RSMo Supp 2003. * Emergency rule filed Sept. 26, 2003, effective Oct. 6, 2003, expired April 2, 2004. Original rule filed Nov. 4, 2003, effective March 30, 2004. *Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; and 392.200, RSMo 1939, amended 1987, 1988, 1996, 2003.*

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may file comments in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Steven C. Reed, Secretary of the Commission, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the Commission's offices on or before January 15, 2010, and should include a reference to Commission Case No. TX-2011-0071. 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 regarding this proposed rule is scheduled for January 20, 2010 at 9:00 a.m. in the commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, Room 305. Interested

JOINT COMMITTEE ON

NOV 04 2010

ADMINISTRATIVE RULES

persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this 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 (voice) or Relay Missouri at 711.

Small Business Regulatory Fairness Board

Small Business Impact Statement

Date: 10-06-2010

Rule Number: 4 CSR 240-32.290(2)

Name of Agency Preparing Statement: Public Service Commission

Name of Person Preparing Statement: John Van Eschen

Phone Number: 573-751-5525

Email: John.Vaneschen@psc.mo.gov

Name of Person Approving Statement:

Please describe the methods your agency considered or used to reduce the impact on small businesses (*examples: consolidation, simplification, differing compliance, differing reporting requirements, less stringent deadlines, performance rather than design standards, exemption, or any other mitigating technique*).

Simplification. The proposal eliminates a requirement preventing companies from offering per line blocking to the general public.

Please explain how your agency has involved small businesses in the development of the proposed rule.

Limited feedback was obtained from local telephone companies; however the proposed rulemaking should have no impact on them because the proposed rulemaking simply eliminates a restriction. Therefore this rulemaking, if approved, will allow local telephone companies to have the option of maintaining the status quo or offering per line blocking to the general public.

Please list the probable monetary costs and benefits to your agency and any other agencies affected. Please include the estimated total amount your agency expects to collect from additionally imposed fees and how the moneys will be used.

This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

No additional fees will be collected specifically associated with this rulemaking.

Please describe small businesses that will be required to comply with the proposed rule and how they may be adversely affected.

This rulemaking only pertains to companies offering basic local telecommunications service. This proposed rulemaking simply eliminates a restriction. Therefore this rulemaking, if approved, will allow local telephone companies to have the option of maintaining the status quo or offering per line blocking to the general public.

Please list direct and indirect costs (in dollars amounts) associated with compliance.

Not applicable since the proposed rulemaking, if approved, provides affected companies the option of maintaining the status quo or offering per line blocking to the general public.

Please list types of business that will be directly affected by, bear the cost of, or directly benefit from the proposed rule.

Companies offering basic local telecommunications service in Missouri.

Does the proposed rule include provisions that are more stringent than those mandated by comparable or related federal, state, or county standards?

Yes___ No_X_

If yes, please explain the reason for imposing a more stringent standard.

For further guidance in the completion of this statement, please see §536.300, RSMo.