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In the Matter of Office of the Public Counsel's )  
Petition for Promulgation of Rules Relating to ) Case No. TX-98-76  
Disconnection of Basic Local Telephone Service. )  
)

The Office of the Public Counsel ("Public Counsel") filed a Petition For Promulgation Of Rules Relating To Disconnection Of Local Service For Nonpayment Of Toll And Other Charges ("Petition") on August 22, 1997. The Petition proposes an amendment to 4 CSR 240-33.070(2). The Commission has reviewed the Petition and made the following findings of fact and conclusions of law.

1. Public Counsel's Petition does not comply with rule 4 CSR 240-2.180 in the following respects:

a. The Petition does not contain the street address of the petitioner, as required by 4 CSR 240-2.180(3)(A)2.A.;

b. The Petition does not contain the full text of the rule sought to be amended, as required by 4 CSR 240-2.180(3)(A)2.C.;

c. The Petition does not contain a statement of the petitioner's reasons in support of subsection (2)(f) of the proposed rule, as required by 4 CSR 240-2.180(3)(A)3.;

Commission further concludes that some or all of the provisions proposed by Public Counsel may be acceptable to the Commission and should be considered by Staff in preparing revisions to 4 CSR 240-33. The Commission further concludes that a combined rulemaking effort would be more efficient than separate rulemaking efforts, and that a combined rulemaking effort would assist the Commission with considering a rule proposed by Public Counsel in connection with other proposed revisions. Public Counsel's Petition should therefore be denied.

**IT IS THEREFORE ORDERED:**

1. That the Office of the Public Counsel's "Petition For Promulgation Of Rules Relating To Disconnection Of Local Service For Nonpayment Of Toll And Other Charges" is hereby denied.

2. That the Staff of the Public Service Commission shall consider the rule amendments proposed by Public Counsel in preparing revisions to 4 CSR 240-33.

3. That this order shall become effective on September 26, 1997.

**BY THE COMMISSION**



**Cecil L. Wright**  
**Executive Secretary**

( S E A L )

Lumpe, Ch., Crumpton,  
Drainer and Murray, CC.,  
concur.

ALJ: Randles