

**COPY**

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
RULE TRANSMITTAL

\*Administrative Rules Stamp

**RECEIVED**

**OC 3 0 2003**

**SECRETARY OF STATE  
ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-3.500  
Diskette File Name 240-3.500 Word 2000  
Name of Person to call with questions about this rule:  
Content Bruce H. Bates Phone 573-751-7434 FAX 573-751-9285  
Data Entry Susan L. Sundermeyer Phone 573-751-4335 FAX Same as above  
Email Address brucebates@psc.state.mo.us  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 386.250 Current RSMo date 2000  
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule           |
| <input checked="" type="checkbox"/> Affidavit                  | <input type="checkbox"/> Public cost                                  |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost                                 |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                   |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date
- ☒ Proposed Rulemaking (check one) ☐ rule ☒ amendment ☐ rescission  
☐ Order of Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency  
☐ Rule action notice  
☐ In addition  
☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**E. ORDER OF RULEMAKING: Rule Number** \_\_\_\_\_

**1a. Effective Date for the Order**

☐ Statutory 30 days

Specific date \_\_\_\_\_

**1b. Does the Order of Rulemaking contain changes to the rule text?**

☐ YES

☐ NO

**1c. If the answer is YES, please complete section F. If the answer is NO, STOP here.**

**F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.**

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



**Commissioners**

**KELVIN L. SIMMONS**  
Chair

**CONNIE MURRAY**

**STEVE GAW**

**BRYAN FORBIS**

**ROBERT M. CLAYTON III**

**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>**  
**October 30, 2003**

**ROBERT J. QUINN, JR.**  
Executive Director

**WESS A. HENDERSON**  
Director, Utility Operations

**ROBERT SCHALLENBERG**  
Director, Utility Services

**DONNA M. PRENGER**  
Director, Administration

**DALE HARDY ROBERTS**  
Secretary/Chief Regulatory Law Judge

**DANA K. JOYCE**  
General Counsel

Honorable Matt Blunt  
Secretary of State  
600 West Main Street  
Jefferson City, Missouri 65101

**ATTENTION: Administrative Rules Division**

I do hereby certify that the attached are accurate and complete copies of the Proposed Amendments to Existing Rules lawfully submitted by the Missouri Public Service Commission for filing this 30th day of October 2003, that a takings analysis and small business impact analysis have occurred and that these proposed amendments do not constitute a taking of real property under relevant state and federal law.

<b>Rules: 4 CSR 240-3.500</b>	<b>Definitions Pertaining Specifically to Telecommunication Company Rules</b>
<b>4 CSR 240-3.550</b>	<b>Telecommunication Company Records and Reports</b>
<b>4 CSR 240-32.020</b>	<b>Definitions</b>
<b>4 CSR 240-32.060</b>	<b>Engineering and Maintenance</b>
<b>4 CSR 240-32.070</b>	<b>Quality of Service</b>
<b>4 CSR 240-32.080</b>	<b>Service Objectives and Surveillance Levels</b>

Statutory authority: 386.040, 386.250, 386.310, and 392.200, RSMo (2000)

Missouri Public Service Commission Case No. TX-2004-0106

If there are any questions, please contact: **Bruce H. Bates, Associate General Counsel**  
**Missouri Public Service Commission**  
**200 Madison St.**  
**Post Office Box 360**  
**Jefferson City, Missouri 65102**  
**(573) 751-7434**

Sincerely,

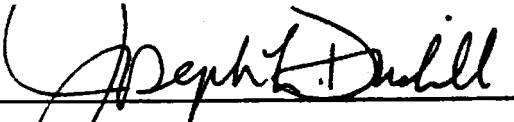
**Dan Joyce**  
General Counsel  
Missouri Public Service Commission

Enclosures

## AFFIDAVIT

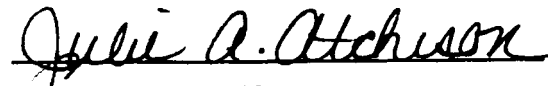
STATE OF MISSOURI )  
 )  
COUNTY OF COLE )

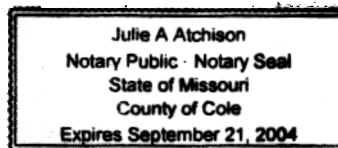
I, Joseph L. Driskill, Director of the Department of Economic Development, first being duly sworn on my oath state that it is my opinion that the cost of the **Proposed Amendment to 4 CSR 240-3.500 – Definitions Pertaining Specifically to Telecommunication Company Rules**, is less than five hundred dollars (\$500) in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

  
\_\_\_\_\_  
Joseph L. Driskill  
Director  
Department of Economic Development

Subscribed and sworn to before me this 21<sup>st</sup> day of October, 2003.

I am commissioned as a notary public within the County of Cole  
State of Missouri, and my commission expires on September 21, 2004

  
\_\_\_\_\_  
NOTARY PUBLIC



**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 3 – Filing and Reporting Requirements**

2003

**SECRET  
ADMINISTRATIVE**

**PROPOSED AMENDMENT**

**4 CSR 240-3.500 Definitions Pertaining Specifically to Telecommunication Company Rules.**  
The commission is amending this section to conform the definitions with the entire chapter.

*PURPOSE: This amendment change provides clarification to the rule as a result of telecommunication technical advancements and upgrades.*

(1) Access line means *[the line associated with each service location to which a unique telephone number is assigned]* **an analog line or a digital voice-grade equivalent line used to connect an end-user to a company's central office. Voice-grade equivalent should be considered as each channel available for voice traffic on a high capacity line. One high capacity line equipped with 24 voice-grade channels will be considered 24 access lines.**

(2) Base rate area means an area within an exchange as specified in the telecommunications company's tariffs and maps, within which each *[grade or]* class of basic local telecommunications service is furnished at a uniform rate without the application of mileage or zone charges.

(4) Calls means a customer's attempted telecommunications transmissions whether completed or not.

(7) Class of service means the type of service being provided to the customer such as residential or business services.

(8) Customer means any individual, firm, partnership, corporation, municipality, cooperative, organization, governmental agency, etc., that accepts financial and other responsibilities in exchange for telecommunications service.

*([7/9])* Exchange means exchange as defined in section 386.020(16), RSMo.

*[(8) Grade of service means the number of customers or parties that a telephone line is designed to serve, such as one (1)-party, two (2)-party or four (4)-party.]*

(10) Held application means an application for establishment of basic local telecommunications service which a company has not satisfied within thirty (30) days after the date applicant desires that service begin. This would not include those applications held for credit reasons.

(11) Incumbent local exchange telecommunications company means incumbent local exchange telecommunications company as defined in section 386.020(22), RSMo.

**([9/12) Line is a general term used in the telecommunications industry in several different senses, the most common of which are access line, trunk, channel and route.**

**(13) Long distance service means at a minimum two-way switched voice service between points in different local calling scopes as determined by the commission.**

**(14) Message means a completed call.**

**([10/15) New customer means any customer who has no prior service history with the telecommunications company with whom service is being requested.**

**([11/16) Pay telephone means a coin or non-coin telephone installed for use by the general public from which calls can be paid for at the time they are made by means of coins, tokens, credit cards, debit cards or a billing to an alternate number.**

**(17) Person means person as defined in section 386.020(39), RSMo.**

**(18) Public utility means public utility as defined in section 386.020(42), RSMo.**

**(19) Rate means rate as defined in section 386.020(45), RSMo.**

**(20) Service means service as defined in section 386.020(47), RSMo.**

***[(12) Pay telephone service provider means a telecommunications company that offers access to telephone service with a coin or non-coin telephone installed for use by the general public from which calls can be paid for at the time they are made by means of coins, tokens, credit cards, debit cards or billed to an alternate number.]***

***[(13) Regrade means a change to a different grade of basic local telecommunications service.]***

***[(14) Service bureau means the designated office, or location where trouble reports and/or service orders are worked and dispatched.]***

**(21) Service objective means an acceptable level of service for an established category of service as identified in 4 CSR 240-32.080. Service objectives should be maintained on an exchange-specific basis or as otherwise monitored according to 4 CSR 240-32.080.**

**(22) Station means a point of input to or output from the network, including a telephone instrument or other terminal device.**

***([15/23) Surveillance level means a [level at or below which telephone service is inferior and will require the telecommunications company providing that service to take immediate action to investigate and correct] sub-standard level of performance for an established category of service as identified in 4 CSR 240-32.080. A company whose service falls within a surveillance level shall immediately investigate and take appropriate corrective action to achieve and maintain the commission's service objective.***

([16]24) Switching is a generic term for machines that switch telephone calls from/to other telephones or trunks.

([17]25) Tandem means a central office where trunks are interconnected to transmit telecommunications traffic between other central offices.

(26) Tariff means a schedule of rates, services and rules approved by the commission.

(27) Telecommunications company means telecommunications company as defined in section 386.020(51), RSMo.

([18]28) Telecommunications service means telecommunications service as defined in section 386.020(53), RSMo.

*AUTHORITY: section 386.250, RSMo 2000. \* Original rule filed Aug. 16, 2002, effective April 30, 2003.*

*\*Original authority: 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991 1993, 1995, 1996.*

*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 comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, PO Box 360, 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.*