

# Robin Carnahan

Secretary of State  
Administrative Rules Division

## RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-3.330

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

Name of person to call with questions about this rule:

Content Morris Woodruff Phone 573-751-2849 FAX 573-526-6010

Email address morris.woodruff@psc.mo.gov

Data Entry same

Phone

FAX

Email address

Interagency mailing address Public Service Commission, 9<sup>th</sup> 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

JCAR Stamp

JOINT COMMITTEE ON

JUN 11 2009

ADMINISTRATIVE RULES



**Commissioners**

**ROBERT M. CLAYTON III**  
Chairman

VACANT

JEFF DAVIS

TERRY M. JARRETT

KEVIN GUNN

***Missouri Public Service Commission***

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WESS A. HENDERSON  
Executive Director

DANA K. JOYCE  
Director, Administration and  
Regulatory Policy

ROBERT SCHALLENBERG  
Director, Utility Services

NATELE DIETRICH  
Director, Utility Operations

VACANT  
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON  
General Counsel

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

Dear Secretary Carnahan:

**Re: Rescission of 4 CSR 240-3.330**

**CERTIFICATION OF ADMINISTRATIVE RULE**

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

Statutory Authority: Sections 386.250, RSMo 2000.

If there are any questions, please contact: Morris L. Woodruff, Deputy 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](mailto:morris.woodruff@psc.mo.gov)

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Deputy Chief Regulatory Law Judge

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

**ORDER OF RULEMAKING**

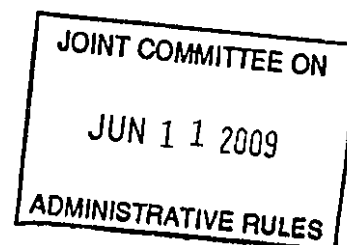
By the authority vested in the Public Service Commission under section 386.250, RSMo 2000, the commission rescinds a rule as follows:

**4 CSR 240-3.330 Sewer Utility Small Company Rate Increase Procedure is  
rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2009 (34 MoReg 842). No changes have been made in the proposed rescission so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended June 2, 2009 and a public hearing on the proposed rescission was held June 2, 2009. No written comments were received. The staff of the Missouri Public Service Commission appeared at the hearing to express its continued support for the rescission of this rule. Staff explained that the rule is no longer needed because the rate case procedure for small sewer utilities is now included in the general procedures established in 4 CSR 240-3.050. Therefore, the continued existence of this rule is a source of possible confusion and it should be rescinded. No other comments were offered.

RESPONSE: The Commission agrees with Staff and will rescind the rule.



# MEMORANDUM

**TO:** Colleen M. Dale, Secretary

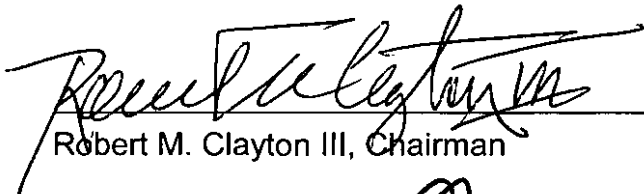
**DATE:** June 10, 2009

**RE:** Authorization to File Order of Rulemaking with the Office of Secretary of State

**CASE NO:** AX-2005-0363

The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file the following Order of Rulemaking with the Office of the Secretary of State, to wit:

**Proposed Rule 4 CSR 240-3.330 - Sewer Utility Small Company Rate Increase Procedure**



Robert M. Clayton III, Chairman



Jeff Davis, Commissioner



Terry M. Jarrett, Commissioner



Kevin D. Gunn, Commissioner

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