

MEMORANDUM

TO: Steven C. Reed, Secretary

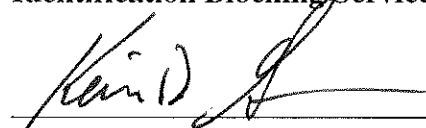
DATE: February 23, 2011

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

CASE NO: TX-2011-0071

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

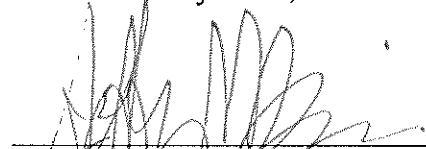
Proposed Amendment to Rule 4 CSR 240-32.190 – Standards for Providing Caller Identification Blocking Service



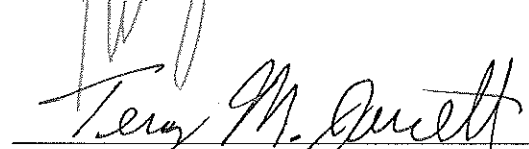
Kevin D. Gunn, Chairman



Robert M. Clayton III, Commissioner



Jeff Davis, Commissioner



Terry M. Jarrett, Commissioner



Robert S. Kenney, Commissioner

Robin Carnahan

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

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

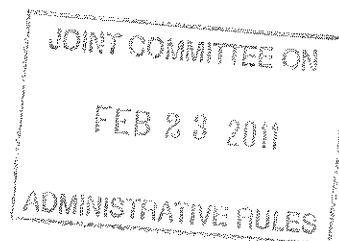
☒ Statutory 30 days OR Specific date

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

JCAR Stamp





Commissioners

KEVIN GUNN
Chairman

ROBERT M. CLAYTON III

JEFF DAVIS

TERRY M. JARRETT

ROBERT S. KENNEY

Missouri Public Service Commission

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Director, Utility Operations

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Secretary/General Counsel

KEVIN A. THOMPSON
Chief Staff Counsel

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

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 order of rulemaking lawfully submitted by the Missouri Public Service Commission.

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 order of 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 cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Chief Regulatory Law Judge

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

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040 and 386.250, RSMo 2000, the commission adopts a rule as follows:

4 CSR 240-32.190 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2010 (35 MoReg 1848). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed rule amendment was held January 20, 2011, and the public comment period ended January 14, 2011. The commission received one written comment from its Staff which it reiterated at the hearing.

COMMENT # 1 – Background and Support for the Amendment:

The commission's Staff observes that the current Caller ID policies originated from the commission's decision in Case No. TR-93-123, wherein the commission limited per-line blocking to law enforcement and domestic violence intervention agencies and their employees. At the time, the commission found insufficient evidence to require more blocking options be made available to other telecommunications customers and believed that expanding this service would dilute the value of Caller ID services. This policy was codified in Case No. TX-2004-0206. Since that time, customers have contacted the commission requesting per-line blocking, and Staff believes the current policy is outdated because of the way other local voice service providers offer Caller ID service. Staff points out that many wireless and interconnected VoIP providers not subject to the current rule automatically bundle Caller ID service and most make per-line blocking available for their customers. Those offerings weaken the commission's justification for the per-line blocking restriction. Allowing more entities to block caller information will allow companies to decide if they wish to provide such services for their customers.

Response: The commission agrees with its Staff and Staff's comment does not require any changes to the proposed amendment.

