

MEMORANDUM

TO: Missouri Public Service Commission
Official Case File – Case No. AX-2003-0404

FROM: Morris L. Woodruff
Deputy Chief Administrative Law Judge

SUBJECT: Confidential Information Rulemaking Fiscal
Analysis Review

Date: August 6, 2008

On December 1, 2006, the Missouri Secretary of State published the Commission's Final Order of Rulemaking to adopt a new rule, 4 CSR 240-2.135. The rule established procedures for the handling of confidential information in cases before the Commission.

Section 536.200.2, RSMo 2000, requires agencies to make a filing with the Secretary of State if, after the first full fiscal year after implementation, the cost of the rule has exceeded by ten percent or more the estimated cost in the fiscal note or has exceeded five hundred dollars if the proposed cost was estimated to be less than five hundred dollars.

At the time it filed the proposed rule, the Commission estimated the rule would not cost state agencies or political subdivisions more than \$500 in the aggregate. Furthermore, the Commission estimated the rule would not cost private entities more than \$500 in the aggregate. The Commission has not received any information from any party affected by the rule indicating that the cost estimates associated with the rule are not accurate.

Since the published cost estimates related to implementation of 4 CSR 240-2.135 have not been exceeded, no additional publication with the Secretary of State is required by Section 536.200.2, RSMo 2000.