

## **MEMORANDUM**

TO: Case File for Case No. AX-2010-0128

FROM: Morris Woodruff

SUBJECT: Rule 4 CSR 240-4.020, Ex Parte and Extra-Record Communications

Date: July 12, 2012

The Commission has investigated the cost of implementing the rule adopted by the Commission through this case, and reports that it has not discovered any information that would show that the cost estimate published in the *Missouri Register* was inaccurate in connection with the implementation of the changes to the Complaint Rule 4 CSR 240-4.020, in Case No. AX-2010-0128.

Additionally, the Commission reports that it has not received any information from any party potentially or actually affected by the implementation of the subject rule that would show that the cost estimate published in the *Missouri Register* was inaccurate.

The Commission's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200.2, RSMo 2000. This statute requires publication in the *Missouri Register* of a report of any excess cost over estimated cost, or cost over five hundred dollars, where appropriate, within ninety (90) days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or rescission. The change in the rule that was the subject of this case was effective on July 30, 2010. The first full fiscal year after implementation of the rules thus ended on June 30, 2012. Accordingly, September 28, 2012 would represent the 90-day expiration period for the publication of a report regarding excess cost information in the *Missouri Register*. Since the Commission's investigation indicates that the published cost estimates related to the changes in the rule have not been exceeded, no Missouri Register publication is required under Section 536.200.2, RSMo 2000.