

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Proposed Amendments to)	
Commission Rules 4 CSR 240-3.530,)	
4 CSR 240-3.535, 4 CSR 240-3.560,)	Case No. TX-2003-
4 CSR 240-3.565.)	
)	

AFFIDAVIT

1. Staff proposes to amend rules 4 CSR 240-3.530 and 4 CSR 240-3.535. These rules currently set forth the filing requirements for a telecommunications company seeking Commission authority to issue stock, bonds, notes and other evidences of indebtedness (4 CSR 240-3.530) or to acquire the stock of a public utility (4 CSR 240-3.535). This proposed rulemaking removes the current exemptions for competitive companies. The proposed amendments are necessary to ensure the Commission has a complete application and financial information when considering stock transactions. The proposed amendment will also require the company to provide reasons as to why the transaction is not detrimental to the public, thus assisting the Commission in its review of the public interest standards.

2. Staff proposes to initiate a new rulemaking, 4 CSR 240-3.560, to outline procedures a telecommunications company must follow when ceasing operation in Missouri, or discontinuing service to a geographic area within the state. Currently, there are no requirements for companies to notify the Commission when ceasing operation or discontinuing service to Missouri customers.

3 Staff proposes to initiate a new rulemaking, 4 CSR 240-3.565, to outline procedures a certificated telecommunications company must follow when notifying the Commission of its or its affiliate's bankruptcy filings. The proposed rule requires telecommunications companies to notify the Commission of the bankruptcy filing, case number, filing date, bankruptcy court, etc. The proposed rule also requires telecommunications companies to provide the Commission with a copy of any order from the bankruptcy court, which affects Missouri operations and customers.

I certify that I have read the foregoing statement and that the facts therein are complete, true and accurate to the best of my knowledge and belief.

Nabeen Dutta
Affiant
Staff Regulatory Economist III

Subscribed and sworn to before me this 3rd day of April, 2003.

Dawn L. Hake
DAWN L. HAKE Notary Public
Notary Public – State of Missouri
County of Cole
My commission expires Jan 9, 2005