

# SECRETARY OF STATE ADMINISTRATIVE RULES

**A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.**

Date Filed With the Joint Committee on Administrative Rules      Exempt per Sections 536.024 and  
536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

<input type="checkbox"/>	Incorporation by reference materials, if any
<input type="checkbox"/>	Authority with history of the rule
<input type="checkbox"/>	Public cost
<input type="checkbox"/>	Private cost
<input type="checkbox"/>	Hearing and comment period

Rule under consideration
--------------------------

JCAR Stamp

**E. ORDER OF RULEMAKING:** Rule Number . \_\_\_\_\_

**1a. Effective Date for the Order**

☐ Statutory 30 days

Specific date \_\_\_\_\_

**1b. Does the Order of Rulemaking contain changes to the rule text?**

☐ YES

☐ NO

**1c. If the answer is YES, please complete section F. If the answer is NO, STOP here.**

**F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.**

**(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)**

**NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.**

**Add additional sheet(s), if more space is needed.**



Commissioners  
KELVIN L. SIMMONS  
Chair

CONNIE MURRAY

STEVE GAW

BRYAN FORBIS

ROBERT M. CLAYTON III

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY, MISSOURI 65102  
573-751-3234  
573-751-1847 (Fax Number)  
<http://www.psc.mo.gov>  
October 30, 2003

ROBERT J. QUINN, JR.  
Executive Director  
WESS A. HENDERSON  
Director, Utility Operations  
ROBERT SCHALLENBERG  
Director, Utility Services  
DONNA M. PRENGER  
Director, Administration  
DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge  
DANA K. JOYCE  
General Counsel

Honorable Matt Blunt  
Secretary of State  
600 West Main Street  
Jefferson City, Missouri 65101

### ATTENTION: Administrative Rules Division

I do hereby certify that the attached are accurate and complete copies of the Proposed Amendments to Existing Rules lawfully submitted by the Missouri Public Service Commission for filing this 30th day of October 2003, that a takings analysis and small business impact analysis have occurred and that these proposed amendments do not constitute a taking of real property under relevant state and federal law.

Rules: 4 CSR 240-3.500	Definitions Pertaining Specifically to Telecommunication Company Rules
4 CSR 240-3.550	Telecommunication Company Records and Reports
4 CSR 240-32.020	Definitions
4 CSR 240-32.060	Engineering and Maintenance
4 CSR 240-32.070	Quality of Service
4 CSR 240-32.080	Service Objectives and Surveillance Levels

Statutory authority: 386.040, 386.250, 386.310, and 392.200, RSMo (2000)

Missouri Public Service Commission Case No.: TX-2004-0106

If there are any questions, please contact: Bruce H. Bates, Associate General Counsel  
Missouri Public Service Commission  
200 Madison St.  
Post Office Box 360  
Jefferson City, Missouri 65102  
(573) 751-7434

Sincerely,


Dan Joyce  
General Counsel  
Missouri Public Service Commission

Enclosures

**AFFIDAVIT**

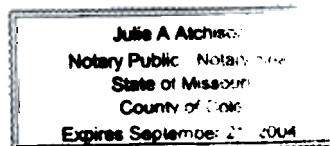
**STATE OF MISSOURI )**  
**)**  
**COUNTY OF COLE )**

I, Joseph L. Driskill, Director of the Department of Economic Development, first being duly sworn on my oath state that it is my opinion that the cost of the **Proposed Amendment to 4 CSR 240-32.020 – Definitions**, is less than five hundred dollars (\$500) in the aggregate to this agency, any other agency of state government or any political subdivision thereof.

  
\_\_\_\_\_  
Joseph L. Driskill  
Director  
Department of Economic Development

Subscribed and sworn to before me this 21<sup>st</sup> day of October, 2003.  
I am commissioned as a notary public within the County of Cole  
State of Missouri, and my commission expires on September 21, 2004

  
\_\_\_\_\_  
NOTARY PUBLIC



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

RECEIVED

OCT 30 2003

**PROPOSED AMENDMENT**

SECRETARY  
ADMINISTRATIVE

F

**4 CSR 240-32.020 Definitions** The commission is amending this section to conform the definitions with the entire chapter.

**PURPOSE:** *This amendment change provides clarification to the rule as a result of telecommunications technical advancements and upgrades.*

(1) Access line—*[a circuit between a customer premises and the central office. Any line giving access to a larger system or network]*an analog line or a digital voice-grade equivalent line used to connect an end-user to a company's central office. Voice-grade equivalent should be considered as each channel available for voice traffic on a high capacity line. One high capacity line equipped with 24 voice-grade channels will be considered 24 access lines.

(2) Automated dialing--announcing *device[s]*--any automated equipment which, when attached to a telephone line, is capable of initiating calls on the telephone network; has storage capability for multiple numbers to be called or has a random or sequential number generator that produces numbers to be called; and working alone or in conjunction with other equipment, is capable of transmitting a prerecorded message to the station called.

(3) Base rate area--an area within an exchange as specified in the telecommunications company's tariffs and maps, within which each *[grade or]* class of basic local telecommunications service is furnished at a uniform rate without the application of mileage or zone charges.

(4) Basic local telecommunications company--any incumbent or competitive local exchange telecommunications company which provides basic local telecommunications service as defined in section 386.020(4), RSMo *[Supp. 1997]*.

(5) Basic local telecommunications service--basic local telecommunications service as defined in section 386.020(4), RSMo *[Supp. 1997]*.

(6) Blockage—*[central office equipment is in busy condition or is available but customers are unable to access the equipment because of grading limitations]*when a call has been attempted but was not completed, as a result of a network failure or busy central office equipment.

(7) Call/*s]*--a customer's attempted telecommunications transmission/*s]* whether completed or not.

(10) Class of service--the type of service being provided to the customer such as residential or business service.

**(/10/11) Customer**--any individual, firm, partnership, corporation, municipality, cooperative, organization, governmental agency, *[etc.,]* or other entity that accepts financial and other responsibilities in exchange for telecommunications service.

**(/11/12) Customer provided equipment (CPE)**--terminal equipment connected to the telephone network which is owned by the user or leased from a supplier.

**(/12/13) Customer trouble report**--*[any]* all oral or written communication from a customer or user of telecommunications service relating to a defect or a specific difficulty encountered in connection with the operation of a company's facilities. *[Multiple accounts of customer trouble which relate to the same defect or specific difficulty may be recorded on a single report if that report clearly shows the total number of oral or written communications received.]*

**(/13/14) Exchange**--exchange as defined in section 386.020(16), RSMo *[Supp. 1997]*

**(/14) Grade of service**--*the number of customers or parties that a telephone line is designed to serve, such as one (1)-party, two (2)-party or four (4)-party.*

**(/15) Held application**--*an application for establishment of basic local telecommunications service which a company has not satisfied within thirty (30) days after the date applicant desires that service begin. This would not include those applications held due to credit reasons.]*

**(/16/15) Incumbent local exchange telecommunications company**--incumbent local exchange telecommunications company as defined in section 386.020(22), RSMo *[Supp. 1997]*.

**(/17) Individual line service**--*a basic local telecommunications service in which only one (1) customer is served by the access line.]*

**(16) Intercept service**--a service arrangement provided by a company where calls placed to a nonworking telephone number are intercepted and the calling party is informed that the called telephone number is not in service or has been changed.

**(/18/17) Interexchange telecommunications company**--interexchange telecommunications company as defined in section 386.020(23), RSMo *[Supp. 1997]*.

**(/19/18) Interexchange telecommunications service**--interexchange telecommunications service as defined in section 386.020(24), RSMo *[Supp. 1997]*.

**(/20/19) Interoffice trunk**--a type of line that generally carries aggregated telecommunications traffic and is ordinarily extended between two (2) switching units.

**(/21/20) InterLATA telecommunications service**--interLATA telecommunications service as defined in section 386.020(25), RSMo *[Supp. 1997]*.

**(/22/21) IntraLATA telecommunications service**--intraLATA telecommunications service as defined in section 386.020(26), RSMo *[Supp. 1997]*.

(/23/22) LATA or local access and transportation area--LATA or local access and transportation area as defined in section 386.020(29), RSMo *[Supp. 1997]*.

(/24/23) Line--a general term used in the telecommunications industry in several different senses, the most common of which are access line, trunk, channel and route.

(/25/24) Local calling scope--*[the area within which basic local telecommunications service is furnished customers under a specific schedule of basic local telecommunications service rates. A local calling scope may include one (1) or more exchanges or portions of exchanges]***the geographic area within which telecommunications service is furnished under a non-optional, flat, monthly rate. A local calling scope may include one (1) or more exchange service areas.**

(/26) Local message--*a completed call between stations located within the same local calling scope.]*

(/27/25) Long distance service--*[telecommunications service furnished between customers in different local calling scopes. This service is also referred to as message toll service]***includes at a minimum, two-way switched voice service between points in different local calling scopes as determined by the commission.**

(/28/26) Message--a completed call.

(/29/27) Message rate service--a basic local telecommunications service in which originated local messages are measured and *[charged]* **billed for on the basis of the number and/or duration of messages, or as defined in a tariff approved by the commission as of the effective date of this rule.**

(/30/28) Nonpublished telephone number--a telephone number which is not listed in the paper phone directories but which is listed with dial-up Directory Assistance.

(/31/29) Operator *[service--operator service as defined in section 386.020(37), RSMo Supp. 1997]***assisted calls--a telecommunications service using either human or automated call intervention that is initiated by dialing "0".**

(/32/30) Outside plant--the telecommunications wires, cable, equipment and facilities installed along, over or under streets, alleys, highways or private rights-of-way between the central office and customers' premises or between central offices.

(/33) Party line service--*a basic local telecommunications service in which a number of customers are served by the same central office line equipment.]*

(31) Pay telephone--a coin or non-coin telephone installed for use by the general public from which calls can be paid for at the time they are made by means of coins, tokens, credit cards, debit cards or a billing to an alternate number.

*[(34) Pay telephone service provider--a telecommunications company that offers access to telephone service with a coin or non-coin telephone installed for use by the general public from which calls can be paid for at the time they are made by means of coins, tokens, credit cards, debit cards or billed to an alternate number.]*

*[(35)32] Person--person as defined in section 386.020(39), RSMo [Supp. 1997].*

*[(36)33] Private shared tenant services--private shared tenant services as defined in section 386.020(40), RSMo [Supp. 1997].*

*[(37) Public utility--public utility as defined in section 386.020(42), RSMo Supp. 1997.]*

*[(38)34] Rate--rate as defined in section 386.020(45), RSMo [Supp. 1997]*

*[(39) Regrade--a change to a different grade of basic local telecommunications service.]*

*[(40)35] Service--service as defined in section 386.020(47), RSMo [Supp. 1997]*

**(36) Service objective--an acceptable level of service for an established category of service as identified in 4 CSR 240-32.080. Service objectives should be maintained on an exchange-specific basis or as otherwise monitored according to 4 CSR 240-32.080.**

*[(41) Service bureau--the designated office, or location where trouble reports and/or service orders are worked and dispatched.]*

*[(42) Standard intercept service--a service arrangement provided by a company where calls placed to a nonworking telephone number are intercepted and the calling party is informed that the called telephone number is not in service.]*

*[(43)37] Station--a point of input to or output from the network, including a telephone instrument or other terminal device.*

**(38) Subsequent trouble report--A trouble report received for the same access line for trouble already reported but not yet cleared.**

*[(44)39] Surveillance level--a [level at or below which telephone service is inferior and will require the telecommunications company providing that service to take immediate action to investigate and correct] sub-standard level of performance for an established category of service as identified in 4 CSR 240-32.080. A company whose service falls within a surveillance level shall immediately investigate and take appropriate corrective action to achieve and maintain the Commission's service objective.*

*[(45)40] Switching--a generic term for machines that switch telephone calls from/to other telephones or trunks.*



3. **(/46/41) Tandem**--a central office where trunks are interconnected to transmit telecommunications traffic between other central offices.

**(/47/42) Tariff**--a schedule of rates, services and rules approved by the commission.

**(/48/43) Telecommunications company**--tele-communications company as defined in section 386.020(51), RSMo [Supp. 1997].

**(/49/44) Telecommunications facilities**--telecommunications facilities as defined in section 386.020(52), RSMo [Supp. 1997].

**(/50/45) Telecommunications service**--telecommunications service as defined in section 386.020(53), RSMo [Supp. 1997].

**(/51/46) Traffic**--telecommunications volume, based on number of calls and duration of messages.

**(/52/47) Unlisted telephone number**--a telephone number which is not listed in the paper phone directories and is not given out to callers to Directory Assistance.

**(48) Unusual Repair**--unusual repair exists when restoration is prohibited by an external element that is beyond the control of the company. Lack of material and manpower does not constitute unusual repair.

*AUTHORITY: sections 386.040, RSMo 1994 386.250, 386.310 and 392.200, RSMo Supp. 1998\*. Original rule filed Dec. 11, 1975, effective Dec. 23, 1975. Amended: Filed Dec. 12, 1977, effective July 13, 1978. Amended: Filed July 13, 1978, effective Jan. 13, 1979. Amended: Filed Aug. 13, 1984, effective Nov. 15, 1984. Rescinded and readopted: Filed Jan. 5, 1999, effective Sept. 30, 1999.*

*\*Original Authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; and 392.200, RSMo 1939, amended 1987, 1988, 1996.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*