

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
September 4, 2001**

CASE NO: AX-2001-634

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Enclosed find certified copy of an PROPOSED RESCISSION in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

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 a statement in support of or in opposition to this proposed amendment with the State Board of Pharmacy, Kevin Kinkade, Executive Director, PO Box 625, 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.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 10—Utilities**

PROPOSED RESCISSION

4 CSR 240-10.020 Income on Depreciation Funds. This rule prescribed the use of income on investments from depreciation funds and the means for accounting for that income.

PURPOSE: The rule was adopted in connection with the provisions of sections 392.280 (governing telecommunications companies) and 393.240 (governing all other regulated companies) RSMo 2000. These statutes authorize the commission to require regulated companies to carry an adequate depreciation account under the commission's rules. The rule is obsolete concerning rate-based regulated companies. The rule prescribes the uses of income on investments from depreciation funds, the appropriate interest rate, and how the funds are accounted for when setting reasonable rates. The current practice, which has been used for several decades, is to use the accumulated depreciation reserve amount as a reduction to rate base when calculating reasonable rates.

AUTHORITY: sections 392.280 and 393.260, RSMo 1986. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Rescinded: Filed July 26, 2001.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition of this proposed rescission with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, 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*. Comments should refer to Case No. AX-2001-634 and be filed with an original and eight (8) copies. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 35—Reporting of Bypass and Customer
Specific Arrangements by Telephone
Corporations**

PROPOSED RESCISSION

4 CSR 240-35.010 Definitions. This rule defined terms used in the rules comprising Chapter 35.

PURPOSE: This rule is being rescinded because it is no longer applicable and is obsolete in relation to the telecommunications industry. Chapter 35 provides for instances of "bypass" reporting, which is defined as the origination, termination, or both, of any intrastate telecommunication without the use of the local exchange company's network facilities. Chapter 35 was originally used to monitor the impact of certain aspects of competition in the provision of telecommunications service. With the implementation of the Telecommunications Act of 1996, and the increase in telecommunications competition in Missouri, this rule is no longer applicable.

AUTHORITY: sections 386.040, 386.320, RSMo 1986, 386.250, RSMo Supp. 1991 and 392.210, RSMo Supp. 1987. Original rule filed Feb. 13, 1985, effective Sept. 15, 1985. Rescinded: Filed July 26, 2001.

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

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

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition of this proposed rescission with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, 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*. Comments should refer to Case No. TX-2001-636 and be filed with an original and eight (8) copies. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 35—Reporting of Bypass and Customer
Specific Arrangements by Telephone Corporations**

PROPOSED RESCISSION

4 CSR 240-35.020 General Provisions. This rule set forth the applicability of the rules comprising Chapter 35.

PURPOSE: This rule is being rescinded because it is no longer applicable and is obsolete in relation to the telecommunications industry. Chapter 35 provides for instances of "bypass" reporting, which is defined as the origination, termination, or both, of any intrastate telecommunication without the use of the local exchange company's network facilities. Chapter 35 was originally used to monitor the impact of certain aspects of competition in the provision of telecommunications service. With the implementation of the Telecommunications Act of 1996, and the increase in telecommunications competition in Missouri, this rule is no longer applicable.

AUTHORITY: sections 386.040, 386.320, RSMo 1986, 386.250, RSMo Supp. 1991 and 392.210, RSMo Supp. 1987. Original rule filed Feb. 13, 1985, effective Sept. 15, 1985. Rescinded: Filed July 26, 2001.

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

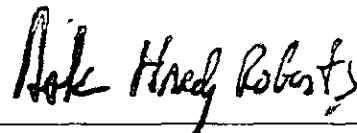
PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 4th day of Sept. 2001.



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

