

**MATT BLUNT**  
Secretary of State  
Administrative Rules Division  
RULE TRANSMITTAL

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SECRETARY OF STATE  
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-32.200  
Diskette File Name Emergency Rule 32.200  
Name of Person to call with questions about this rule: William Haas  
Content William Haas Phone 573-751-7510 FAX 573-751-9285  
Data Entry Tammy Vieth Phone 573-751-8377 FAX Same as above  
Email Address william.haas@psc.mo.gov  
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO  
Statutory Authority 386.040, 386.250 and 392.200 Current RSMo date 2000  
Date Filed With the Joint Committee on Administrative Rules February 9, 2004

B. CHECK, IF INCLUDED:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> This transmittal completed | <input checked="" type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter               | <input type="checkbox"/> Authority with history of the rule                      |
| <input type="checkbox"/> Affidavit                             | <input type="checkbox"/> Public cost   |
| <input type="checkbox"/> Forms, number of pages <u>    </u>    | <input type="checkbox"/> Private cost  |
| <input type="checkbox"/> Fiscal notes                          | <input type="checkbox"/> Hearing and comment period                              |

C. RULEMAKING ACTION TO BE TAKEN

- ☒ Emergency Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** include effective date March 15, 2004
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☐ Order of Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination  
**MUST** complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

AIRS Standards For Professional  
Information and Referral  
(incorporation by reference)

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**JOINT COMMITTEE ON**

FEB 09 2004

**ADMINISTRATIVE RULES**

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.

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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.



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ADMINISTRATIVE RULES

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

Commissioners

STEVE GAW  
Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

## Missouri Public Service Commission

POST OFFICE BOX 360  
JEFFERSON CITY MISSOURI 65102  
573-751-3234  
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February 9, 2004

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

Joint Committee on Administrative Rules  
Room B-8A  
Capitol Building  
Jefferson City, Missouri 65101

Dear Secretary Blunt:

Attention: Administrative Rules Division - Rule 4 CSR 240-32.200 (General Provisions for the Assignment, Provision and Termination of 211 Service)

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the emergency rule lawfully submitted by the Missouri Public Service Commission for filing on this 28th day of January 2004.

I further certify that the emergency rule is supported by a compelling governmental interest, the reasons for which are stated in the emergency statement.

Statutory authority: Sections 386.040, 386.250 and 392.200, RSMo 2000.

Effective date of the rule: March 15, 2004

Missouri Public Service Commission Case No.: TX-2004-0153

If there are any questions, please contact: William K. Haas, Deputy General Counsel  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-7510

BY THE COMMISSION

A handwritten signature in dark ink, appearing to read 'Dale Hardy Roberts', written in a cursive style.

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

Enclosures: Proposed Emergency Rule 4 CSR 240-32.200 (General Provisions for the Assignment, Provision and Termination of 211 Service); electronic copy on 3.5" diskette; Rule Transmittal, AIRS Standards For Professional Information and Referral

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

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SECRETARY OF STATE  
ADMINISTRATIVE RULES

EMERGENCY RULE

**4 CSR 240-32.200 General Provisions for the Assignment, Provision and Termination of 211 Service.**

*PURPOSE:* This rule applies to the assignment, provision and termination of 211 service and the commission's application requirements for Information and Referral Services Providers. This rule is intended to enhance the ability of the public to access services that provide free information and referral to community resources in situations that are not immediately life-endangering, but still represent a serious but less urgent threat to basic human needs and individuals' health or welfare.

*EMERGENCY STATEMENT:* This emergency rule is necessary to preserve a compelling governmental interest in promoting the availability of 211 service. The Federal Communications Commission assigned 211 as a national abbreviated dialing code to be used for calls to community information and referral services. These calls involve needs vital to the welfare of individuals, families and communities, such as shelter needs, utility issues critical in inclement weather, medical aid, child and spousal abuse counseling, etc. Currently, Missouri does not have 211 service anywhere in the state and no Commission rules exist for offering 211 service. The Commission has received an application from a United Way organization requesting designation as the 211 provider in SBC Missouri exchanges in 16 Missouri counties. In response to this application, the Commission Staff has worked with the United Way organization and SBC Missouri to develop the emergency rule language. Staff has also worked with SBC Missouri on tariff language that would set forth the rates, terms and conditions for making 211 service available. This emergency rule establishes requirements for an organization to be designated as a 211 provider and for the provision of 211 service. The Commission has used procedures best calculated to assure fairness to all interested persons and parties under the circumstances because it has discussed the emergency rule with United Way and SBC Missouri, the most immediately affected parties. This emergency rule follows procedures which comply with the protections extended by the **Missouri and United States Constitutions**. The scope of this emergency rule is limited to the circumstances creating an emergency and requiring emergency action. A proposed rule covering the same material will be published in a forthcoming edition of the Missouri Register. This emergency rule was filed February 9, 2004, effective March 15, 2004, and expires September 11, 2004.

*PUBLISHER'S NOTE:* "The secretary of state has determined that the publication of the entire material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. The entire text of the material, which is so incorporated is on file with the agency who filed this rule, and with the office of secretary of state. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed the actual cost of copy reproduction."

JOINT COMMITTEE ON

FEB 09 2004

ADMINISTRATIVE RULES

- (1) Definitions. For the purposes of 4 CSR 240-32.200, the following definitions are applicable:
  - (A) 211 is an abbreviated dialing code assigned by the Federal Communications Commission for community information and referral services.
  - (B) Abbreviated dialing code is a three digit dialing pattern which enables callers to connect to a location in the telecommunications network that otherwise would be accessible only via a seven or ten-digit telephone number. The telecommunications network must be pre-programmed to translate the three-digit code into the appropriate seven or ten-digit telephone number and route the call accordingly.
  - (C) Accreditation is a process by which the Alliance of Information and Referral Systems determines whether information and referral programs are in compliance with the standards as set forth in the Standards for Professional Information and Referral, 4th edition, revised October, 2002.
  - (D) Alliance of Information and Referral Systems (AIRS) is a non-profit, professional membership organization for information and referral providers.
  - (E) Applicant is a non-profit organization as defined by Section 501(c)(3) of the federal tax code that requests to be authorized by the commission to become a Missouri I&R Provider.
  - (F) Exchange is used as defined in Section 386.020 RSMo 2000.
  - (G) Information and Referral Provider (I&R Provider) is an organization which helps match people with requested services. The I&R Provider acts as an intermediary, matching the person with the necessary combination of human services that will address the individual's needs.
  - (H) Missouri I&R Provider is an I&R Provider that has received authority pursuant to this rule.
  - (I) Qualified human services entity is an entity offering human services and complying with AIRS standards for database inclusion thus making it eligible to be included in a Missouri I&R Provider's database.
  - (J) Telecommunications company is used as defined in Section 386.020 RSMo 2000.
- (2) When a telecommunications company receives a request from an entity to use 211 as the Information and Referral Provider for a geographic area, the telecommunications company shall:
  - (A) Ensure that any entities that were using 211 at the local level prior to July 31, 2000 relinquish use of the code for non-compliant services;
  - (B) Take steps necessary (such as reprogramming switch software) to complete 211 calls from its subscribers to the Information and Referral Provider;
  - (C) Submit a tariff to the commission, if no tariff exists, incorporating rates, terms and conditions for 211 service.
  - (D) Determine that the entity is a Missouri I&R Provider or has submitted an application to become an authorized I&R Provider in Missouri.
- (3) Entities interested in becoming a Missouri I&R Provider shall submit an application to the commission.
  - (A) All applications shall include a statement that the applicant meets the following criteria:
    1. A statement that the applicant is a not-for-profit organization as defined by Section 501(c)(3) of the federal tax code;



2. Adheres to the Alliance of Information and Referral Systems, Incorporated Standards for Professional Information and Referral, 4th edition, revised October, 2002, which is incorporated herein by reference, and is AIRS accredited, or has initiated the written application process and shall become accredited within three years;
  3. Offers comprehensive services pursuant to the AIRS standards;
  4. Removes or excludes human services entities from the Missouri I&R Providers' database for failure to deliver service, fraud, misrepresentation and discrimination.
  5. Provides teletype (TTY) services for speech and hearing impaired individuals and multi-lingual accessibility either on-site, or through access to translators.
- (B) In addition to the requirements of section (A), all applications shall include:
1. A statement that the applicant possesses sufficient technical, financial and managerial resources and abilities to become the I&R Provider for the requested telephone exchanges.
  2. A statement as to the applicant's ability and willingness to abide by commission rules and policies.
  3. A statement that sets forth the exchange(s) to be served.

(4) Upon receipt of an application, the commission shall issue notice to all ILECs in the exchange(s) to be served, all facilities-based CLECs certificated to provide basic local telecommunications service, all human services entities listed in the yellow pages under the categories "Human Service Organizations" and "Social Service Organizations" for the exchanges to be served, all county seats for the requested exchanges, and all city governments in cities within the requested exchanges that have a population of 5000 or more persons.

(A) The commission will authorize only one I&R Provider for each telephone exchange. This shall not preclude a Missouri I&R Provider from serving multiple telephone exchanges.

(B) The commission will grant an entity's application to become a Missouri I&R provider unless it finds that granting the application is not in the public interest.

(5) A Missouri I&R Provider shall comply with the statements set forth in its application.

(6) A Missouri I&R Provider will be entitled to use the three digit 211 abbreviated dialing code to serve the community for a period of 3 years.

(7) A Missouri I&R Provider will be responsible for all costs of provisioning service, including nonrecurring and recurring charges incurred by the use of the abbreviated dialing code 211.

(8) Neither a telephone company nor a Missouri I&R Provider shall charge end users for 211 service.

(9) Any qualified human services entity may be listed in the Missouri I&R Provider's database at no charge. Missouri I&R Providers shall inform qualified human services entities that inclusion in the database is a privilege rather than a right and that they may be removed or excluded from the database for failure to deliver service, fraud, misrepresentation and discrimination.

(10) If the commission receives a formal complaint filed pursuant to 4 CSR 240-2 that a Missouri I&R Provider is in violation of the AIRS criteria, or of a statute, rule, order or tariff applicable to the provision of 211 service, or that its continued authorization is not in the public interest, the commission shall initiate an investigation of the complaint within 21 calendar days after the filing of the written complaint and take action as appropriate, including but not limited to revocation of the Missouri I&R Provider's authorization.

(11) This rule is not subject to 4 CSR 240-32.010(3), which states that all telecommunications companies shall be in compliance with Chapter 32 requirements within six (6) months after the effective date of this rule and shall notify the commission of such compliance. All telecommunications companies and I&R Providers operating pursuant to this emergency rule shall comply with its requirements beginning on its effective date.

*AUTHORITY: sections 386.040, 386.250 and 392.200, RSMo 2000. Emergency rule filed February 9, 2004, effective March 15, 2004, expires September 11, 2004.*