

MEMORANDUM

TO: Colleen M. Dale, Secretary

DATE: August 5, 2008

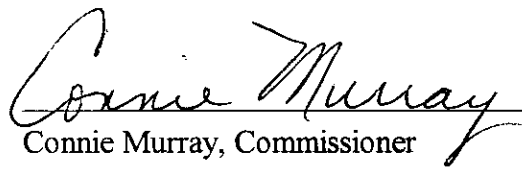
RE: Authorization to File Final Order of Rulemaking with the Office of Secretary of State

CASE NO: EX-2008-0226

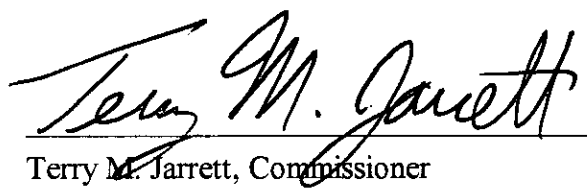
The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file the following Final Order of Rulemaking with the Office of the Secretary of State, to wit:

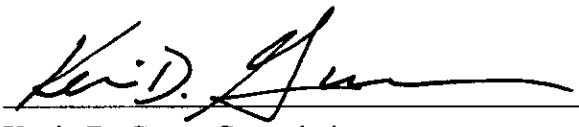
Adoption of 4 CSR 240-18.010 – Safety Standards



Jeff Davis, Chairman

Connie Murray, Commissioner

Robert M. Clayton III, Commissioner

Terry M. Jarrett, Commissioner

Kevin D. Gunn, Commissioner

Robin Carnahan

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

Rule Number 4 CSR 240-18.010

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Cully Dale Phone 751-4255 FAX

Email address cully.dale@psc.mo.gov

Data Entry same Phone FAX

Email address

Interagency mailing address Public Service Comm'n, 9th Fl, Governor Ofc Bldg, JC, MO

TYPE OF RULEMAKING ACTION TO BE TAKEN

☐ Emergency rulemaking, include effective date

☐ Proposed Rulemaking

☐ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration

☒ Order of Rulemaking

Effective Date for the Order

☒ Statutory 30 days OR Specific date

Does the Order of Rulemaking contain changes to the rule text? ☒ NO

☐ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

JOINT COMMITTEE ON

AUG 06 2008

ADMINISTRATIVE RULES



Commissioners

JEFF DAVIS
Chairman

CONNIE MURRAY

ROBERT M. CLAYTON III

TERRY JARRETT

KEVIN GUNN

Missouri Public Service Commission

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Director, Administration

ROBERT SCHALLENBERG
Director, Utility Services

NATELLE DIETRICH
Director, Utility Operations

COLLEEN M. DALE
Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON
General Counsel

September 5, 2008

Honorable Robin Carnahan
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

Dear Secretary Carnahan:

**Re: 4 CSR 240-18.010 Safety Standards - Electrical Corporations,
Telecommunications Companies and Rural Electric Cooperatives**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission for filing on this 5th day of September, 2008.

Statutory Authority: Sections 386.250, 386.310, and 394.160, RSMo 2000.

If there are any questions regarding the content of this order of rulemaking, please contact:

Colleen M. Dale, Secretary
Missouri Public Service Commission
200 Madison Street, P.O. Box 360
Jefferson City, MO 65102
(573) 751-4255
cully.dale@psc.mo.gov

BY THE COMMISSION

Colleen M. Dale
Secretary
Missouri Public Service Commission

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 18 – Safety Standards**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 393.140, 393.130 and 394.160 RSMo 2000, the commission adopts a rule as follows:

4 CSR 240-18.010 is amended.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 16, 2008 (33 MoReg 1134). This proposed rule will become effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on the proposed amendments was held July 16, 2008, and the public comment period ended July 16, 2008. One written comment was received from the Staff of the Public Service Commission, and the only person to testify at the hearing was Staff witness David Elliott.

COMMENT: Mr. Elliot supports adoption of the amendment but notes that the Missouri Register contained a typographical error in the sentence following the title, which indicated the addition of section (5), but should have referred to section (4), as there is no section (5). However, as this sentence only appears in the Register to assist readers and is not included in the Code of State Regulations, no change is required.

RESPONSE: No language change is necessitated by this comment.

JOINT COMMITTEE ON

AUG 06 2008

ADMINISTRATIVE RULES