

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 28—Communications

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-28.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2018 (43 MoReg 981-982). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed amendment on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: MTIA is concerned about the deletion of "whole-

sale uncollectibles" from the definition of "Missouri Jurisdictional Revenue" in 4 CSR 240-28.010(9). Similarly, MTIA urges the commission to retain the current definitions of "Net Jurisdictional Revenue" and "Total Missouri Jurisdictional Revenue" in 4 CSR 240-28.010(10) and (16) of the existing rule because those definitions also include "wholesale uncollectibles."

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with MTIA. The definition of "Missouri jurisdictional revenue" in 4 CSR 240-28.010(9) will be expanded to encompass the definition of "Total Missouri Jurisdictional Revenue," including "wholesale uncollectibles."

COMMENT #2: The proposed amendment deletes the definition of "Non-Switched Local Exchange Telecommunications Service," but MTIA points out the term is still used in the amended rule and suggests the definition be retained.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with MTIA and will restore the definition of "Non-Switched Local Exchange Telecommunications Service" as in 4 CSR 240-28.010(10). Subsequent sections will be renumbered.

4 CSR 240-28.010 Definitions

(9) Missouri jurisdictional revenue—A company's total revenue associated with the provisioning of intrastate telecommunications and IVoIP services. This revenue includes a company's net jurisdictional revenue, wholesale revenues, and any revenue received from the Missouri Universal Service Fund minus wholesale uncollectibles. Total Missouri jurisdictional operating revenue is annually reported and is used for the commission assessment.

(10) Non-switched local exchange telecommunications service—Service connecting customer locations within an exchange to other points within the exchange provisioned by facilities dedicated to these locations and points, and which facilities do not switch the service to other locations and points.

(11) Payphone service—Service providing two- (2-) way voice service for a fee to the general public using a privately owned device.

(12) Registration—The granting of a registration to provide interconnected voice over Internet protocol service or video service by the commission.

(13) Shared tenant service—The provisioning of a commercially shared telecommunications service provided to residents in a building or a common limited geographic area.

(14) Tariff—A document submitted to the commission identifying the telecommunications services offered by a company and also identifying the rates, terms, and conditions for the use of such services.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 28—Communications

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-28.011 is adopted.

A notice of proposed rulemaking containing the text of the proposed

rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 982-983). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: MTIA points out that 4 CSR 240-28.030, which is being rescinded, lists various types of certificates or registrations that may be issued by the commission and suggests a similar list should be added to the new rule.

RESPONSE AND EXPLANATION OF CHANGE: The commission believes a listing of types of certificates or registration is not necessary. The type of certificates or registrations the commission may issue are determined by statute, and any list established by regulation may become obsolete and misleading as the legislature acts to change the commission's authority. Further, the controlling statute allows some applicants to request either a certificate or a registration. It is better for the rule to be generic rather than to separate when a certificate or registration is appropriate. The commission will include a list of application forms that are available for use by applicants as part of its revision of 4 CSR 240-28.011(1) and 4 CSR 240-28.011(1)(A) described in response to Comment #2.

COMMENT #2: MTIA expresses concern that proposed 4 CSR 240-28.011(1) says a company "may" request a certificate of authority or registration. It believes that is not an optional requirement and that "may" should be changed to "shall."

RESPONSE AND EXPLANATION OF CHANGE: MTIA misunderstands the intent of the section. The section is not intended to define when an applicant must obtain a certificate. That is defined by statute. Rather, the section intends to let applicants know how they can obtain the forms needed to submit an application. The commission has revised 4 CSR 240-28.011(1) and 4 CSR 240-28.011(1)(A) to clarify the rule.

4 CSR 240-28.011 Certificate of Service Authority and/or Registration

(1) Sample application forms for authorization to obtain or alter a certificate of service authority to provide basic local telecommunications, non-switched local exchange telecommunications, interexchange telecommunications, payphone, shared tenant services, or registration to provide IVolP service are available on the commission's website.

(A) Authorization is limited to the service area specified by the company's initial application; however, a company's service area can later be altered by submitting a Notice of Change form.

(B) An attorney licensed to practice law in Missouri must file the application form or the Notice of Change form.

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-28.012 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 983-984). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: MTIA and MCTA note that the commission's current rule, 4 CSR 240-28.040(2), which will be rescinded, establishes requirements for the filing of annual reports. Parts of that rule are incorporated into this section by referring interested persons to additional information included on the commission's website. AT&T, MTIA, and MCTA are concerned that the proposed rule does not include provisions of the current rule allowing for extensions of time to file those annual reports. They urge the commission to incorporate those provisions into the new rule.

RESPONSE AND EXPLANATION OF CHANGE: The commission's website is a suitable means to provide information and forms to interested persons, but information on a website is not a rule. The procedure for obtaining an extension of time to file an annual report should be included in a rule. The commission will incorporate the applicable provision of 4 CSR 240-28.040(2) into this rule.

COMMENT #2: MTIA asks the commission to retain the description of "Net Jurisdictional Revenues" contained in 4 CSR 240-28.040(4) of the commission's current rule.

RESPONSE: The commission believes the description of revenues is appropriately made at the referenced location and on the commission's website and does not need to be included in the text of this rule. The commission will make no change in response to this comment.

COMMENT #3: MTIA notes that 4 CSR 240-28.012(2)(D) of the proposed rule would allow companies filing for bankruptcy a way to avoid PSC assessment obligations. MTIA believes debtors-in-possession continuing to provide service through a bankruptcy proceeding should not be allowed to avoid their obligation to pay their share of the commission's assessment. MTIA suggests the rule be modified to allow only assessments owed before filing to be avoided.

RESPONSE: The commission has proposed this rule as a means to ensure that it is notified when a telecommunications company has filed for bankruptcy. The rule is not intended to allow such companies a way to avoid its PSC assessment obligations. Those obligations will, of course, be determined by the bankruptcy court, not by the commission. The commission will modify the language of the section to avoid any confusion.

COMMENT #4: MCTA and AT&T ask the commission to retain the existing provisions of 4 CSR 240-28.040(2)(E), which indicate a company may request confidential status for some or all of its annual

report using procedures described in the annual report instructions. **RESPONSE:** The commission agrees that companies should be able to request confidential status for their annual reports. However, it is not necessary to include that provision in the text of the rule. The commission has a general procedural rule dealing with that situation, 4 CSR 240-2.315, and companies can be informed of those procedures through the instructions listed on the commission's website. The commission will make no changes in response to this comment.

4 CSR 240-28.012 Annual Reports, Statements of Revenue, and Assessments

(1) Annual Reports and Statements of Revenues – The commission's website contains forms, deadlines, and instructions for annual reports, including how to address common revenue reporting issues.

(C) The deadline for a company to submit a completed annual report is April 15.

1. A company that is unable to meet the April 15 submission date deadline may request an extension of this deadline by filing a letter through EFIS. The letter shall include an explanation for failing to meet the deadline and the date by which the annual report will be filed.

A. If a request for extension is made before the filing deadline, a thirty (30) day extension will automatically be granted.

B. Requests for an extension greater than thirty (30) days or requests after the filing deadline for an extension will be handled on a case-by-case basis depending on the explanation contained in the request.

(2) Assessments—Information about assessments may be found on the commission's website or as otherwise indicated below.

(D) If a company has filed for bankruptcy, the company must notify the commission. Notice can be in the form of a letter filed into EFIS as a non-case related submission indicating the date of filing for bankruptcy, bankruptcy court, case number, and chapter number. A letter must be filed under the same tracking number when the company emerges from bankruptcy.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 28—Communications

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-28.013 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 984). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: AT&T and MTIA urge the commission to retain the current process set out in 4 CSR 240-28.080(2) – a provision that the commission is rescinding - under which a carrier can object to the adoption of one of its interconnection agreements and thereby bring the dispute to the commission's attention for resolution.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that any adoption of an interconnection agreement is subject to objections. The provision of 4 CSR 240-28.080(2)(D) regarding such objections will be incorporated as a new subsection 4 CSR 240-28.013(2)(C). The subsequent subsection will be renumbered.

COMMENT #2: MTIA and MCTA note that 4 CSR 240-28.070(1) of the commission's current rules requires telecommunications companies to maintain a tariff for any commission-regulated wholesale service, such as exchange access service. That section is to be rescinded and 4 CSR 240-28.013(1) of the proposed rule makes maintenance of a tariff discretionary for retail telecommunications services, but is silent as to wholesale services. MTIA and MCTA ask the commission to retain the tariff filing requirement for wholesale services.

RESPONSE AND EXPLANATION OF CHANGE: By specifically referring to the discretionary maintenance of retail tariffs without mentioning wholesale services, the commission did not intend to imply that tariffs for wholesale services were no longer required. But to avoid any confusion, the commission will incorporate the existing rule regarding wholesale services tariffs into 4 CSR 240-28.013(1).

4 CSR 240-28.013 Tariff Filings and Interconnection Agreements

(1) Maintaining a tariff with the commission is discretionary for retail telecommunications services, as provided in section 392.461, RSMo. The commission's website contains information about tariff format, as well as the process for cancelling and no longer maintaining a tariff. A telecommunications company must maintain a tariff for any commission-regulated wholesale service such as exchange access service.

(2) Interconnection agreements are filed and maintained in EFIS as identified below. Additional filing instructions may be found on the commission's website.

(B) An adoption of an approved interconnection agreement and any amendment that has been previously approved by the commission may be requested by filing a letter to the secretary of the commission. Approved interconnection agreements whose original term has expired, but which remain in effect pursuant to term renewal or extension provisions, are subject to adoption for as long as the interconnection agreement remains subject to the renewal or extension provisions.

(C) Any adoption is subject to objection. The commission will send notice to the non-signing party allowing twenty (20) days for objection. If no objection is filed, the adoption will be approved by the commission. If an objection is filed, the commission will determine whether the adoption should be approved or rejected.

(D) The incumbent basic local exchange telecommunications company that is a party to any interconnection agreement that is terminated shall notify the secretary of the commission of its termination by filing a letter in a new case.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 240—Public Service Commission Chapter 28—Communications

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-28.014 Network Configuration is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 984-985). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: The commission's staff filed a written comment explaining its reasons for proposing the new rule regarding network configurations. No other comments were offered about this rule.

RESPONSE: The commission will make no changes to the rule in response to staff's comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Communications**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-28.015 211 Service is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 985). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: MTIA urges the commission to retain a provision of the current rule in 4 CSR 240-28.090(2)(E)5. – a provision that the commission is rescinding – that requires that an applicant wishing to provide 211 information and referral services include a statement in their application that they will be responsible for the cost of provisioning such service. As the representative of local exchange carriers, MTIA is concerned that in the absence of such a provision, local

exchange carriers might be required to pay a portion of the cost of such services.

RESPONSE: The paragraph that MTIA asked the commission to retain in the new rule is one (1) of six (6) statements that the existing rule requires the 211 Service applicant make in an affidavit accompanying its application. The commission does not believe that detailed requirements for the application need to be included in the rule. The removal of those required statements from the rule does not imply that 211 Service providers will no longer be responsible for payment of all costs of providing that service. The commission will not change the proposed rule in response to this comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Communications**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-28.016 Telephone Numbering is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 985-986). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: The commission's staff filed a written comment explaining its reasons for proposing the new rule regarding telephone numbering. No other comments were offered about this rule.

RESPONSE: The commission will make no changes to the rule in response to staff's comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Communications**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.020 General Provisions is rescinded.

A notice of proposed rulemaking containing the proposed rescission

was published in the *Missouri Register* on May 15, 2018 (43 MoReg 986). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 28—Communications

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.030 Certification or Registration Requirements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 986). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 28—Communications

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.040 Reporting Requirements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 987). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 28—Communications

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.050 Assessment Requirements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 987). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications

Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Communications**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.060 Service Requirements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 987-988). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Communications**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.070 Tariffs is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 988). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Communications**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.080 Interconnection Agreements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 988). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 28—Communications**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-28.090 211 Service is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 988-989). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 31—Universal Service**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission amends a rule as follows:

4 CSR 240-31.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2018 (43 MoReg 994-996). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed amendment on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications

Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: The proposed revision of the commission's chapter 31 rules regarding Universal Service would expand Missouri's universal service fund to support provision of broadband internet access services in underserved areas. MCTA, AT&T, Verizon, and CenturyLink oppose that proposed expansion as exceeding the commission's statutory authority. Further, they warn that state regulation in this area would be preempted by federal regulation by the Federal Communications Commission. On the other side, the STCG fully supports the proposed expansion of the Missouri universal service fund to support broadband services.

RESPONSE: While the expansion of broadband internet access service to areas that are currently underserved is an important policy goal, the commission determines its statutory authority to expand the Missouri universal service fund to support that service is unclear and as a consequence, the program should not be expanded. That determination will impact several specific provisions of the rule that will be addressed in subsequent comments.

COMMENT #2: STCG recommends that section 31.010(4), which defines ETC, should be revised to clarify that ETC status is also necessary to participate in the Missouri MoUSF Lifeline program.

RESPONSE AND EXPLANATION OF CHANGE: The commission will modify the definition as proposed by STCG.

COMMENT #3: Section 31.010(5) defines "essential local telecommunications service." As proposed, the definition would include "retail broadband service." MCTA, CenturyLink, Verizon, and AT&T urge the commission to remove that phrase from the definition. STCG would keep broadband service in the definition, but would change the phrase "retail broadband service" to "broadband internet access service." In addition, AT&T would alter the definition to clarify that one-way (non-interconnected VoIP) would not be eligible for Lifeline or high-cost support.

RESPONSE AND EXPLANATION OF CHANGE: As previously indicated, the commission will not expand the universal service fund to support broadband service. The definition of "essential local telecommunications service" will be altered to remove reference to broadband service and to incorporate the additional change proposed by AT&T.

COMMENT #4: Proposed section 31.010(11) defines "retail broadband service." As part of their opposition to expanding the universal service fund to support broadband, MCTA, CenturyLink, Verizon, and AT&T urge the commission to remove this definition.

RESPONSE AND EXPLANATION OF CHANGE: Having decided not to expand the universal service fund to support broadband service, the commission will eliminate this unnecessary definition and will renumber the subsequent section.

4 CSR 240-31.010 Definitions

(4) ETC—Refers to eligible telecommunications carrier. ETC designation allows a company to receive federal universal service funding as contemplated under 47 U.S.C. 214(e) and 47 CFR Part 54 Subpart C. ETC designation is also necessary for a company to participate in the MoUSF Lifeline program.

(5) Essential local telecommunications service—Local circuit-switched voice telephone service which provides voice grade access to and from the public switched network including access to 911-related emergency services to the extent implemented by a local government.

(11) USF—Refers to Universal Service Fund.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT****Division 240—Public Service Commission
Chapter 31—Universal Service****ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-31.011 Missouri USF Administration is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 996). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: STCG expressed concern that the proposed rule eliminates the detailed rules regarding operation of the Missouri USF Board that are currently described in commission rule 31.020, which will be rescinded. STCG believes the commission is required to file such detailed rules by section 392.248.1, RSMo, which requires the commission to "adopt rules governing ... the operation of the universal service board."

RESPONSE: The commission believes the new rule adequately describes the administration of the Missouri Universal Service Fund and will make no changes to the rule in response to STCG's comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT****Division 240—Public Service Commission
Chapter 31—Universal Service****ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-31.012 Missouri USF Assessment is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 996-997). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the pro-

posed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: STCG believes this rule should include the definition and description of "net jurisdictional revenue" currently found in commission rule 4 CSR 240-28.0404(4), which will be rescinded. **RESPONSE:** The commission does not believe a detailed description of "net jurisdictional revenue" needs to be included in this rule and will make no changes to the rule in response to STCG's comment.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT****Division 240—Public Service Commission
Chapter 31—Universal Service****ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission withdraws a rule as follows:

**4 CSR 240-31.013 Missouri USF High Cost Support
is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 997). The proposed rule is withdrawn.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Proposed section 31.013(1) contains new provisions to expand the reach of high cost support to address concerns about customers facing high construction charges to have telecommunication facilities extended to provide landline service. STCG, AT&T, and CenturyLink contend the commission lacks statutory authority to expand the high cost support program in this manner. **RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees it lacks statutory authority to implement this new program and will remove proposed section 31.013(1). The proposed rule will be withdrawn.

COMMENT #2: The proposed revision of 31.013(2) would permit funding under the Missouri high cost program for facilities to deploy retail broadband service. MCTA, AT&T, Verizon, and CenturyLink oppose that proposed expansion as exceeding the commission's statutory authority. Further, they warn that state regulation in this area would be preempted by federal regulation from the Federal Communications Commission.

RESPONSE AND EXPLANATION OF CHANGE: While the expansion of broadband internet access service to areas that are currently underserved is an important policy goal, the commission determines its statutory authority to permit funding under the Missouri high cost program for broadband services is unclear. Section 31.013(2) will be removed from the rule. Since both aspects of this rule will be removed, the proposed rule will be withdrawn.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 31—Universal Service**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-31.014 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 997-998). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: STCG comments that section 4 CSR 240-31.014(1) must be modified to require a company eligible to receive disabled support to comply with the requirements of section 392.248.4(2) to provide such customers essential local telecommunication services. **RESPONSE AND EXPLANATION OF CHANGE:** The commission agrees with STCG's comment and will modify the section accordingly.

COMMENT #2: STCG comments that essential telecommunications carrier participation in the Missouri disabled program is optional and suggests section 4 CSR 240-31.014(1) be modified to reflect that fact.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with STCG's comment and will modify the section accordingly.

COMMENT #3: STCG suggests section 4 CSR 240-31.014(5) should be modified to reference the new Missouri-specific program form.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with STCG's comment and will modify the section accordingly.

4 CSR 240-31.014 Lifeline and Disabled Programs

(1) Missouri Universal Service Fund (USF) support for the Lifeline and Disabled programs is limited to companies that are current on

Missouri USF assessment obligations, meet the requirements of section 392.248.4(2) of the Missouri Revised Statutes, and have a certificate of service authority to provide basic local telecommunications service or a registration to provide Interconnected Voice over Internet Protocol (VoIP) service from the commission. Eligible Telecommunications Carrier (ETC) designation pursuant to 47 CFR Part 54 Subpart C is a requirement for participation in the Lifeline program but not the Disabled program. Participation in the Disabled program by an ETC is optional.

(5) The enrollment form for the Lifeline Program should comply with federal requirements. The enrollment form for the Disabled Program may be similar to the sample form posted on the commission's website.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 31—Universal Service**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-31.015 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 998-999). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: The commission's staff indicated the requirements of subsections 4 CSR 240-31.015(3)(A) and (B) are no longer needed and should be removed from the rule. AT&T concurs in that recommendation.

RESPONSE AND EXPLANATION OF CHANGE: The commission determines that requiring the filing of a copy of Form 481 remains necessary to assist in the review of compliance with reporting requirements. Subsection 4 CSR 240-31.015(3)(A) will not be removed from the rule. The commission agrees with the comment on subsection 4 CSR 240-31.015(3)(B) and that subsection will be removed from the rule. The remaining subsections will be renumbered.

COMMENT #2: Subsection 4 CSR 240-31.015(3)(C) requires an officer of the ETC to annually submit an affidavit verifying the company's compliance with specified requirements. AT&T argues this subsection should be eliminated because once the Lifeline National Eligibility Verifier is in use in Missouri, the ETCs will not be making eligibility determinations or annual eligibility recertifications for consumers in Missouri. As a result, it argues, the officer certifications will no

longer be necessary.

RESPONSE: The Verifier described by AT&T is starting as a trial in a few states so there is no way to know when it may be available in Missouri. Further, the requirements of the subsection are not limited to just verifying customer eligibility. The commission will not make any changes in response to this comment.

4 CSR 240-31.015 ETC Requirements

(3) Annual filing requirement. In concurrence with the Form 481 deadline, an ETC shall annually submit into EFIS—

(A) A copy of the company's Form 481 report;

(B) Certification from an officer of the company attesting under penalty of perjury to the following information:

1. The company has policies and procedures in place to ensure Lifeline subscribers are eligible to receive Lifeline service;

2. The company is in compliance with all federal Lifeline certification procedures;

3. The company complies with the minimum service levels set forth in FCC rule section 54.408; and

4. The company's Missouri operations solely use the name of the company as recognized by the commission for ETC designation in all marketing and USF-related materials;

(C) The website address containing information about the company's Lifeline service or alternatively state the company does not maintain such a website; and

(D) If the ETC has received or will receive high cost support then the company's officer certification should include the following additional attestations and information—

1. All federal high-cost support provided to the company within Missouri was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended;

2. The applicable study area code(s) of the company's high-cost service area; and

3. For wireless ETCs, the company complies with the latest edition of Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 31—Universal Service

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission adopts a rule as follows:

4 CSR 240-31.016 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2018 (43 MoReg 999). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rule on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard

Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Paragraph 4 CSR 240-31.016(2)(B)2. requires an application for Eligible Telecommunications (ETC) status to identify "all managers, officers, and directors, or any person exerting managerial control over the applicant's day to day operations, policies, service offerings, and rates." AT&T is concerned that the requirement is overbroad and would require the identification of many low level managers within a large company. AT&T suggests the identification requirement be limited to officers and directors of the company.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees the rule should not require the identification of mid and low level managers. The requirement will be modified to require identification only of officers, directors, and other persons, regardless of title, who fill the role of officer or director of the company.

COMMENT #2: The commission's staff advises the commission to delete paragraph 4 CSR 240-31.016(B)7.'s requirement to submit a copy of a Lifeline and/or Disabled enrollment form as unnecessary.

RESPONSE AND EXPLANATION OF CHANGE: The commission will delete that paragraph and renumber the remaining paragraphs.

COMMENT #3: STCG notes that commission rule 4 CSR 240-31.130(4), which is being rescinded, allows the commission to grant a waiver or variance from any provision of the Chapter 31 Universal Service rules for good cause. It suggests the same provision should be added to the new rules.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees with the comment and will add the waiver provision to the rule as section (4).

4 CSR 240-31.016 ETC Application Requirements

(2) ETC application requirements—

(B) In addition to the requirements of 4 CSR 240-2.060 and 47 C.F.R. section 54.201 and section 54.202, all ETC applications should—

1. Identify any individual or entity having a ten percent (10%) or more ownership interest in the applicant.

2. Identify all officers, directors, and other persons, regardless of title, who fill the role of officer or director of the company;

3. Identify any company sharing common ownership or management with the applicant that has ever received funds from the federal USF or any state universal service fund.

4. Provide the details of any matter brought in the last ten (10) years by any state or federal regulatory or law enforcement agency against any of the individuals, entities, managers, officers, directors of other companies sharing common ownership or management with the applicant involving fraud, deceit, perjury, stealing, or the omission or misstatement of material fact in connection with a commercial transaction;

5. Identify the website containing information about the applicant's service and rates. If such information will be contained in a tariff maintained with the commission, then either provide a tariff filing or cite the existing tariff;

6. Provide statements addressing each of the following:

A. The applicant will comply with the ETC requirements identified in 4 CSR 240-31.015;

B. Whether the applicant intends to seek support from the Missouri USE. If so, the applicant should also state whether it intends to participate in the Disabled program;

C. A commitment to notify the commission of any changes to company contact information;

D. If the applicant is certificated or registered by the commission, a statement that the company is compliant with all reporting and assessment obligations; and

E. A statement that the applicant is compliant with contribution obligations to the federal USF; and

7. A copy of the FCC's decision if an applicant has sought and obtained a waiver of any ETC requirement from the FCC.

(4) The commission may grant a waiver of or variance from any provision of 4 CSR 240-31.010 through 4 CSR 240-31.016 for good cause, upon request or upon its own motion.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 31—Universal Service

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-31.020 Organization, Powers, and Meetings of the Board is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1000). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 31—Universal Service

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-31.030 The MoUSFA is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg

1000). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 31—Universal Service

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-31.040 Eligibility for Funding—High Cost Areas is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1000-1001). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT****Division 240—Public Service Commission
Chapter 31—Universal Service****ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-31.060 The MoUSF Assessment is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1001). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT****Division 240—Public Service Commission
Chapter 31—Universal Service****ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-31.090 Disbursements of MoUSF Funds is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1001). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission.

Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT****Division 240—Public Service Commission
Chapter 31—Universal Service****ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-31.100 Review Procedures for Support Payments
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1001-1002). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT****Division 240—Public Service Commission
Chapter 31—Universal Service****ORDER OF RULEMAKING**

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-31.110 Review of Board and MoUSFA Activities
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1002). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 31—Universal Service**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-31.120 Lifeline Program and Disabled Program
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1002). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters

addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 31—Universal Service**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.200.2, 392.248, and 392.470.1, RSMo 2016, the commission rescinds a rule as follows:

**4 CSR 240-31.130 Eligible Telecommunications Carrier
Requirements is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1003). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this, and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 37—Number Pooling and Number
Conservation Efforts**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.210.2 and 386.250(2), RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-37.010 General Provisions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1008). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 37—Number Pooling and Number Conservation Efforts

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.210.2 and 386.250(2), RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-37.020 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1008-1009). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 37—Number Pooling and Number Conservation Efforts

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.210.2 and 386.250(2), RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-37.030 Thousands-Block Number Pooling is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1009). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 37—Number Pooling and Number Conservation Efforts

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.210.2 and 386.250(2), RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-37.040 Requests for Review of the Decisions of the North American Numbering Plan Administrator or the Thousands-Block Pooling Administrator is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1009). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely

written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 37—Number Pooling and Number Conservation Efforts

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.210.2 and 386.250(2), RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-37.050 Reclamation is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1009-1010). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 37—Number Pooling and Number Conservation Efforts

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 392.210.2 and 386.250(2), RSMo 2016, the commission rescinds a rule as follows:

4 CSR 240-37.060 Reporting Requirements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2018 (43 MoReg 1010). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended July 2, 2018, and the commission held a public hearing on the proposed rescission on July 9, 2018. The commission received timely written comments from AT&T, Missouri Cable Telecommunications Association (MCTA), CenturyLink, Windstream Missouri, Verizon, the Small Telephone Company Group and Missouri Independent Telephone Company Group (STCG), the Missouri Telecommunications Industry Association (MTIA), and the staff of the commission. Whitney Payne, representing the commission's staff; Richard Telthorst, on behalf of MTIA; Brian McCartney, representing STCG; and Craig Johnson representing Chariton Valley Communications, appeared at the hearing and offered comments.

COMMENT #1: Staff explained that this and several other related telecommunications rules are being consolidated into a revised Chapter 28 of the commission's rules. Therefore, this rule is no longer necessary and should be rescinded. While several commenters addressed aspects of the proposed revised and consolidated rules, no one opposed the rescission of this rule.

RESPONSE: The commission will rescind the rule.

Title 6—DEPARTMENT OF HIGHER EDUCATION Division 10—Commissioner of Higher Education Chapter 2—Student Financial Assistance Program

ORDER OF RULEMAKING

By the authority vested in the Commissioner of Higher Education under sections 168.550-168.595, RSMo 1995, Repealed and 173.081, RSMo 2016, the commissioner rescinds a rule as follows:

6 CSR 10-2.070 Missouri Prospective Teacher Loan Program is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on August 1, 2018 (43 MoReg 2020). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 6—DEPARTMENT OF HIGHER EDUCATION Division 10—Commissioner of Higher Education Chapter 8—Dwight D. Eisenhower Mathematics and Science Education Act

ORDER OF RULEMAKING

By the authority vested in the Commissioner of Higher Education under section 173.050, RSMo 2016, the commissioner rescinds a rule as follows: