

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission Chapter 31—Missouri Universal Service Fund

4 CSR 240-31.010 Definitions

PURPOSE: This rule defines terms used in the rules comprising Chapter 31.

(1) Commission—The Missouri Public Service Commission.

(2) Cost—Cost of a telecommunications company as determined by the commission.

(3) Disabled customer—Any customer who requests or receives residential essential local telecommunications service and who meets the definition of disabled set out in section 660.100.2, RSMo 1994.

(4) Economically disadvantaged customer—see low-income customer.

(5) Essential local telecommunications services—Two (2)-way switched voice residential service within a local calling scope as determined by the commission, comprised of the following services and their recurring charges:

(A) Single line residential service, including Touch-Tone dialing, and any applicable mileage or zone charges;

(B) Access to local emergency services including, but not limited to, 911 service established by local authorities;

(C) Access to basic local operator services;

(D) Access to basic local directory assistance;

(E) Standard intercept service;

(F) Equal access to interexchange carriers consistent with rules and regulations of the Federal Communications Commission (FCC);

(G) One (1) standard white pages directory listing; and

(H) Toll blocking or toll control for qualifying low-income customers.

(6) Fund Administrator—The agency, individual, firm, partnership, or corporation selected by the Missouri Universal Service Board to act as the independent neutral administrator of the Missouri Universal Service Fund.

(7) Local calling scope—The geographic area determined by a local exchange telecommunications company's tariffs filed with and approved by the commission, within which telecommunications service is furnished under a non-optional, flat, monthly rate. A

local calling scope may include one (1) or more exchange service areas.

(8) Low-income customer—Any customer who requests or receives residential essential local telecommunications service and who has been certified by the Department of Social Services as economically disadvantaged by participation in Medicaid, food stamps, Supplementary Security Income (SSI), federal public housing assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP).

(9) Missouri Universal Service Board (board)—The board established by section 392.248.1, RSMo Supp. 1997 and comprised of members of the commission and the Public Counsel, which shall supervise the management of the MoUSF.

(10) Missouri Universal Service Fund (MoUSF or Fund)—The universal service fund established by section 392.248, RSMo Supp. 1997 to be used:

(A) To ensure the provision of reasonably comparable essential local telecommunications service, as defined in this rule, throughout the state including high cost areas, at just, reasonable, and affordable rates;

(B) To assist low-income customers and disabled customers in obtaining affordable essential telecommunications services;

(C) To pay the reasonable, audited costs of administering the MoUSF; and

(D) To permit eligible incumbent local exchange companies to recover the reasonably projected changes in revenues from reductions in Federal Universal Service Fund (USF) payments caused by changes to the Federal USF program announced by the FCC no later than December 31, 1997, as determined by the commission.

(11) Toll blocking—"Toll blocking" is a service provided by carriers that lets customers elect not to allow the completion of outgoing toll calls from their telecommunications channel.

(12) Toll control—"Toll control" is a service provided by carriers that allows customers to specify a certain amount of toll usage that may be incurred on their telecommunications channel per month or per billing cycle.

AUTHORITY: sections 392.200.2 and 392.248, RSMo Supp. 1997 and 392.470.1, RSMo 1994.* Original rule filed Aug. 15, 1997, effective April 30, 1998.

*Original authority: 392.200, RSMo 1939, amended 1987, 1988, 1996; 392.248, RSMo 1996; and 392.470.1, RSMo 1987.

4 CSR 240-31.020 Organization and Meetings of the Board

PURPOSE: This rule establishes the organization and meetings of the board and other related responsibilities.

(1) Within thirty (30) days after the effective date of this rule, the board shall convene its initial organizational meeting, at which time it shall elect a chairperson, a secretary, and such other officers as the board deems appropriate.

(A) The chairperson shall preside over the initial, the regular and any special meetings of the board unless otherwise provided by a majority of the board.

(B) The secretary shall be responsible for recording the minutes of the meetings of the board, which minutes shall be open records in accordance with Chapter 610, RSMo Supp. 1997.

(C) Other officers of the board shall have those responsibilities as are delegated to them by the board.

(2) The principal office of the board is located at the offices of the Missouri Public Commission in Jefferson City, Missouri.

(3) The initial, regular, and any special meetings of the board shall be held in the agenda room of the commission unless otherwise posted. All meetings of the board shall be open to the public in accordance with Chapter 610, RSMo Supp. 1997. The time of each meeting and the matters to be discussed will be posted at the commission offices and will also be available to the public by accessing the commission's home page on the Internet.

(4) A simple majority of the board will constitute a quorum for the transaction of business, the performance of any duty, or the exercise of any power by the board.

(5) At the initial meeting of the board, or no later than thirty (30) days thereafter, the board will develop, and submit to the commission for its approval, a plan of operation for the Missouri Universal Service Fund (MoUSF) in accordance with section 392.248.8, RSMo Supp. 1997.

(6) The board shall adopt procedures, which will include a competitive bid process, to retain an independent neutral Fund Administrator who will be responsible for the day-to-day operations of the MoUSF. These procedures shall provide, among other things, for the periodic review of the Fund Administrator and the opportunity for selection of an