

MEMORANDUM

TO: Case File for Case No. GX-2004-0496

FROM: Gay Fred, on Behalf of the Commission Staff

SUBJECT: Accuracy of cost Estimates for Rule Implementation – Compliance with the Requirements Section 536.200.2

DATE: August 7, 2006

The Commission Staff has investigated the cost of implementing the rules adopted by the Commission through this case, and reports that it has not discovered any information that would show that the cost estimates published in the *Missouri Register* were not accurate in connection with the amendments of the Cold Weather Rule 4 CSR 240-13.055, in Case No. GX-2004-0496.

Additionally, the Staff reports that it has not received any information from any party potentially or actually affected by the implementation of the subject rules that would show that the cost estimates published in the *Missouri Register* were not accurate.

This Report is made to the Commission in order to comply with the provisions of Section 536.200.2, RSMo 2000. This statute provides for publication in the *Missouri Register* of a report of any excess costs over estimated costs, or costs over five hundred dollars, where appropriate, within 90 days after the close of the “first full fiscal year” after the implementation of the subject rule, amendment or rescission. The change in the rule that was the subject of this case was effective on October 30, 2004. The first full fiscal year after implementation of the rule thus ended on June 30, 2006. Accordingly, September 28, 2006 would represent the 90-day expiration period for the publication of a report regarding excess cost information in the *Missouri Register*. Since the Staff’s investigation indicates that the published cost estimates related to the implementation of this rule have not been exceeded, no *Missouri Register* publication is required under Section 536.200.2, RSMo 2000.

Attachment A