

**John R. Ashcroft**

Secretary of State  
Administrative Rules Division

**RULE TRANSMITTAL**

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OCT 05 2018

SECRETARY OF STATE  
ADMINISTRATIVE RULES

Rule Number 4 CSR 240-28.040

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

**COPY**

Name of person to call with questions about this rule:

Content Morris Woodruff Phone 573-751-2849 FAX 573-526-6010

Email address Morris.woodruff@psc.mo.gov

Data Entry Christine Koenigsfeld Phone 573-751-4256 FAX 573-526-6010

Email address Christine.Koenigsfeld@psc.mo.gov

Interagency mailing address Public Service Commission, 9<sup>th</sup> Floor Gov. Office Bldg, JC, Mo

TYPE OF RULEMAKING ACTION TO BE TAKEN

☐ Emergency Rulemaking ☐ Rule ☐ Amendment ☐ Rescission ☐ Termination

Effective Date for the Emergency \_\_\_\_\_

☐ Proposed Rulemaking ☐ Rule ☐ Amendment ☐ Rescission

☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration

☐ Request for Non-Substantive Change

☐ Statement of Actual Cost

☒ Order of Rulemaking ☐ Withdrawal ☐ Adopt ☐ Amendment ☒ Rescission

Effective Date for the Order \_\_\_\_\_

☐ Statutory 30 days OR Specific date \_\_\_\_\_

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

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

Small Business Regulatory  
Fairness Board (DED) Stamp

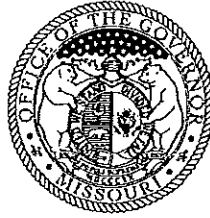
JCAR Stamp

JOINT COMMITTEE ON

SEP 05 2018

ADMINISTRATIVE RULES

STATE CAPITOL  
201 W. CAPITOL AVENUE, ROOM 216  
JEFFERSON CITY, MISSOURI 65101



(573) 751-3222  
WWW.GOVERNOR.MO.GOV

*Michael L. Parson*

GOVERNOR  
STATE OF MISSOURI

August 30, 2018

Mr. Daniel Hall  
Public Service Commission  
200 Madison Street  
PO Box 360  
Jefferson City, MO 65102

RE: *Proposed Rulemaking*

Dear Daniel:

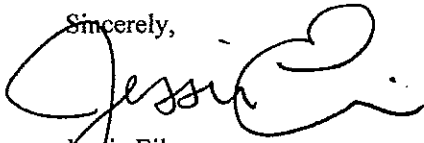
This office has received your proposed amendments, rules and rescissions for the regulations listed below.

- 4 CSR 240-28.010 – Definitions (proposed amendment)
- 4 CSR 240-31.010 – Definitions (proposed amendment)
- 4 CSR 240-28.011 – Certificate of Service Authority and/or Registration (proposed rule)
- 4 CSR 240-28.012 – Annual Reports, Statements of Revenue, and Assessments (proposed rule)
- 4 CSR 240-28.013 – Tariff Filings and Interconnection Agreements (proposed rule)
- 4 CSR 240-28.014 – Network Configuration (proposed rule)
- 4 CSR 240-28.015 – 211 Service (proposed rule)
- 4 CSR 240-28.016 – Telephone Numbering (proposed rule)
- 4 CSR 240-31.011 – Missouri USF Administration (proposed rule)
- 4 CSR 240-31.012 – Missouri USF Assessment (proposed rule)
- 4 CSR 240-31.013 – Missouri USF High Cost Support (proposed rule)
- 4 CSR 240-31.014 – Lifeline and Disabled Programs (proposed rule)
- 4 CSR 240-31.015 – ETC Requirements (proposed rule)
- 4 CSR 240-31.016 – ETC Application Requirements (proposed rule)
- 4 CSR 240-28.020 – General Provisions (proposed rescission)
- 4 CSR 240-28.030 – Certification or Registration Requirements (proposed rescission)
- 4 CSR 240-28.040 – Reporting Requirements (proposed rescission)
- 4 CSR 240-28.050 – Assessment Requirements (proposed rescission)
- 4 CSR 240-28.060 – Service Requirements (proposed rescission)
- 4 CSR 240-28.070 – Tariffs (proposed rescission)
- 4 CSR 240-28.080 – Interconnection Agreements (proposed rescission)
- 4 CSR 240-28.090 – 211 Service (proposed rescission)
- 4 CSR 240-31.020 – Organization, Powers, and Meetings of the Board (proposed rescission)
- 4 CSR 240-31.030 – The MoUSFA (proposed rescission)
- 4 CSR 240-31.040 – Eligibility for Funding – High Cost Areas (proposed rescission)
- 4 CSR 240-31.060 – The MoUSF Assessment (proposed rescission)
- 4 CSR 240-31.090 – Disbursement of MoUSF Funds (proposed rescission)
- 4 CSR 240-31.100 – Review Procedures for Support Payments (proposed rescissions)

- 4 CSR 240-31.110 – Review of Board and MoUSFA Activities (proposed rescission)
- 4 CSR 240-31.120 – Lifeline Programs and Disabled Programs (proposed rescissions)
- 4 CSR 240-31.130 – Eligible Telecommunications Carrier Requirements (proposed rescission)
- 4 CSR 240-37.010 – General Provisions (proposed rescission)
- 4 CSR 240-37.020 – Definitions (proposed rescission)
- 4 CSR 240-37.030 – Thousands-Block Number Pooling (proposed rescission)
- 4 CSR 240-37.040 – Request for Review of the Decisions of the North American Numbering Plan Administrator or the Thousands-Block Pooling Administrator (proposed rescission)
- 4 CSR 240-37.050 – Reclamation (proposed rescission)
- 4 CSR 240-37.060 – Reporting Requirements (proposed rescission)

Executive Order 17-03 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, rescind regulations, or adopt new regulations. After our review of this rulemaking, we approve the submission of these amendments, rules and rescissions to the Joint Committee on Administrative Rules and the Secretary of State.

Sincerely,



Jessie Eiler  
Deputy Counsel



Commissioners  
DANIEL Y. HALL  
Chairman  
WILLIAM P. KENNEY  
SCOTT T. RUPP  
MAIDA J. COLEMAN  
RYAN A. SILVEY

## *Missouri Public Service Commission*

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JEFFERSON CITY, MISSOURI 65102  
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General Counsel  
MORRIS WOODRUFF  
Secretary  
LOYD WILSON  
Director of Administration  
NATELLE DIETRICH  
Staff Director

John Ashcroft  
Secretary of State  
Administrative Rules Division  
600 West Main Street  
Jefferson City, Missouri 65101

Re: 4 CSR 240-28.040 Reporting Requirements

Dear Secretary Ashcroft,

### CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission.

Statutory Authority: sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016.

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

Morris L. Woodruff, Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, MO 65102  
(573) 751-2849  
[Morris.woodruff@psc.mo.gov](mailto:Morris.woodruff@psc.mo.gov)

Morris L. Woodruff  
Chief Regulatory Law Judge

Enclosures

RECEIVED

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT  
Division 240 – Public Service Commission  
Chapter 28 – Telecommunications, IVolP, Video Services**

OCT 05 2018

SECRETARY OF STATE  
ADMINISTRATIVE RULES

**ORDER OF RULEMAKING**

**COPY**

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 rule 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 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:** 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.

