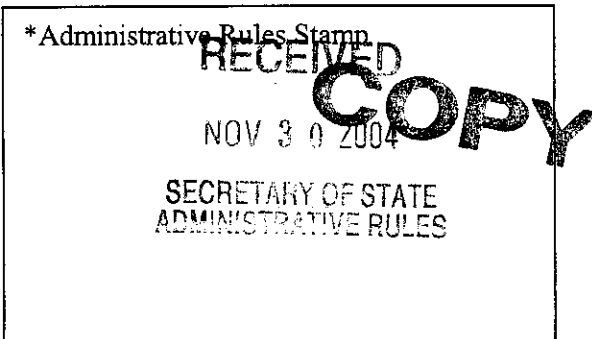


MATT BLUNT
 Secretary of State
 Administrative Rules Division
 RULE TRANSMITTAL



A "SEPARATE" rule transmittal sheet **MUST** be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-29.040
 Diskette File Name Proposed Rule 29.040
 Name of person to call with questions about this rule:
 Content Keith Krueger Phone 573-751-4140 FAX 573-751-9285
 Data entry Lesli Belt Phone 573-751-7499 FAX Same as above
 Email address keith.krueger@psc.mo.gov
 Interagency mailing address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 386.040 Current RSMo date 2000
386.250 2003
 Date filed with the Joint Committee on Administrative Rules Exempt per Sections 536.024 and
536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input checked="" type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- Emergency rulemaking, (check one) rule amendment rescission termination
MUST include effective date
- Proposed Rulemaking (check one) rule amendment rescission
 Order of Rulemaking (check one) rule amendment rescission termination
MUST complete page 2 of this transmittal
- Withdrawal (check one) rule amendment rescission emergency
 Rule action notice
 In addition
 Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes **MUST** be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners

STEVE GAW
Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

JEFF DAVIS

LINWARD "LIN" APPLING

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.mo.gov>

ROBERT J. QUINN, JR.
Executive Director

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

November 30, 2004

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-29.040 Identification of Originating Carrier for Traffic Transmitted over the LEC-to-LEC Network

CERTIFICATION OF ADMINISTRATIVE RULE

I hereby certify that the attached is an accurate and complete copy of the proposed rule lawfully submitted by the Missouri Public Service Commission for filing on this 30th day of November 2004.

The Missouri Public Service Commission has determined and hereby certifies that this proposed rule will not have an economic impact on small businesses. The Missouri Public Service Commission also certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section 536.017 RSMo 2000 and that this proposed rule does not constitute a taking of real property under relevant state and federal law.

Statutory Authority: Sections 386.040 and 386.250.

If there are any questions, please contact:

Keith Krueger, Deputy General Counsel
P.O. Box 360
Jefferson City, MO 65102
(573) 751-4140, FAX (573) 751-9285
keith.krueger@psc.mo.gov

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Dale Hardy Roberts', written over the text 'BY THE COMMISSION'.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT
Division 240—Public Service Commission
Chapter 29 – Enhanced Record Exchange Rules**

PROPOSED RULE

4 CSR 240-29.040 Identification of Originating Carrier for Traffic Transmitted over the LEC-to-LEC Network

PURPOSE: The purpose of this rule is to establish a proper means of identifying to transiting and terminating carriers all carriers who originate traffic that is transmitted over the LEC-to-LEC network.

- (1) All telecommunications companies that originate traffic that is transmitted over the LEC-to-LEC network shall deliver originating caller identification with each call that is placed on the LEC-to-LEC network.
- (2) All telecommunications carriers that transit LEC-to-LEC traffic for another carrier shall deliver originating caller identification to other transiting carriers and to terminating carriers.
- (3) Nothing in this chapter shall be construed to alter, or otherwise change, the originating record creation, record exchange, and billing processes currently in place for telecommunications traffic transited by incumbent local exchange carriers on behalf of other incumbent local exchange carriers, except that such originating records created shall be category 11-01-XX records when requested by a terminating carrier.
- (4) When transiting traffic for any carrier other than an incumbent local exchange carrier, originating tandem carriers shall, for each compensable call, create and make the following available upon request by a terminating carrier, at no charge to the terminating carrier:
 - (A) A category 11-01-XX record or, if no Carrier Identification Code is available, a Missouri-specific category 11-01-XX record.
 - (B) Nothing in (A) above shall preclude two carriers from mutually agreeing to exchange other types of billing records.
 - (C) A list of originating carriers connected to their tandem switch who originate traffic on the LEC-to-LEC network. The originating tandem carrier will ensure this list of originating carriers is readily accessible to any carrier involved in the completion of such calls. The originating tandem carrier will maintain the following information for carriers using its tandem switch to originate traffic on the LEC-to-LEC network: The name of the originating carrier plus the name, mailing address, telephone number and electronic address of an individual responsible for contacts regarding LEC-to-LEC network traffic billing and payment inquiries.
- (5) All traffic aggregators shall deliver originating caller identification to the transiting and/or terminating carriers for each call that the traffic aggregator places on the LEC-to-LEC network. Traffic aggregators shall be required to create 11-01-XX records for all compensable telecommunications traffic placed on the LEC-to-LEC network on behalf of other carriers.

Traffic aggregators shall also ensure that originating carrier information, as identified in subsection (4) (C), is maintained and provided in a timely manner to the originating tandem carrier and terminating carrier for any traffic placed on the LEC-to-LEC network by the traffic aggregator on behalf of another telecommunications company.

(6) The originating telephone number shall be the telephone number of the end user responsible for originating the telephone call. Under no circumstances in sections (1), (2), (3), (4) and (5) above shall any carrier substitute an originating telephone number other than the telephone number of the end user responsible for originating the telephone call.

AUTHORITY: sections 386.040 and 386.250, RSMo 2000. Original rule filed November 30, 2004.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before February 2, 2005, and should include a reference to commission Case No. TX-2003-0301. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the commission's electronic filing and information system at <http://www.psc.state.mo.us/efis.asp>. A public hearing regarding this proposed rule is scheduled for February 9, 2005, at 10:00 a.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed rule, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

AFFIDAVIT

STATE OF MISSOURI)
)
COUNTY OF COLE)

I, Anne Walker, Deputy Director of the Department of Economic Development, first being duly sworn on my oath state that it is my opinion that the cost of the **Proposed Rule 4 CSR 240-29.040, Identification of Originating Carrier for Traffic Transmitted over the LEC-to-LEC Network** is less than five hundred dollars in the aggregate to this agency, any other agency of state government or any political subdivision thereof.



Anne Walker
Deputy Director
Department of Economic Development

Subscribed and sworn to before me this 4th day of November, 2004.
I am commissioned as a notary public within the County of Cole, State of Missouri, and my commission expires on August 12, 2008.



NOTARY PUBLIC





Matt Blunt
Secretary of State

Administrative Rules Division
Rulemaking Transmittal Receipt

Rule ID: 2106
Date Printed: 11/30/2004
Rule Number: 4 CSR 240-29.040
Rulemaking Type: Proposed Rule
Date Submitted to Administrative Rules Division: 11/30/2004
Date Submitted to Joint Committee on Administrative Rules:

Name of Person to Contact with questions concerning this rule:

Content: Keith Krueger	Phone: 751-4140	Email: keith.krueger@psc.mo.gov	Fax:
RuleDataEntry: Lesli Belt	Phone: 751-7499	Email: keith.krueger@psc.mo.gov	Fax:

Included with Rulemaking:

Cover Letter	11/30/2004
Affidavit for public cost	11/30/2004

