

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Proposed Rulemaking to	)	
Establish 4 CSR 240-33.170, Relay Missouri	)	<b>File No. TX-2008-0392</b>
Surcharge Billing and Collection Standards	)	

**FISCAL NOTE REVIEW MEMORANDUM**

COMES NOW the Staff of the Missouri Public Service Commission and states:

1. This Memorandum concerns the adoption of 4 CSR 240-33.170, which became effective on April 30, 2009.

2. Section 536.200.2 RSMo 2000 requires agencies to make a filing with the Secretary of State if, after the first full year after implementation, the cost of the rule exceeds the agency estimate. In the attached Memorandum, the Staff advises the Commission that the Staff conducted a review of the fiscal estimates from the rule changes adopted in this case and has determined that no fiscal estimate changes need to be filed with the Secretary of State.

WHEREFORE, the Staff submits this Fiscal Note Review.

Respectfully submitted,



Colleen M. Dale  
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Missouri Bar No. 31624  
Attorney for the Staff of the  
Missouri Public Service Commission  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 22<sup>nd</sup> day of July, 2010.

A handwritten signature in black ink, appearing to be "Allan" followed by a stylized flourish.

## **Memorandum**

To:           Official Case File  
              Case No. TX-2008-0392

From:       Dana Parish  
              Telecommunications Department

Subject:     Fiscal Analysis Review for 4 CSR 240-33.170 Rulemaking

Date:        July 13, 2010

This rulemaking establishes uniform standards for telecommunications companies and interconnected Voice-over-Internet Protocol service providers to bill, collect, and remit the Relay Missouri Surcharge. The purpose of this surcharge is to generate funding for a statewide dual-party relay system and a statewide telecommunications distribution program. This rulemaking is comprised of Commission rule 4 CSR 240-33.170 and became effective on April 30, 2009. The rule was estimated to not have a public entity cost or private entity cost exceeding \$500 in the aggregate.

Section 536.200.2 RSMo requires agencies to make a filing with the Missouri Secretary of State if, after the first full year after implementation, the cost of the rule has exceeded by ten percent or more the estimated cost in the fiscal note or has exceeded five hundred dollars if the proposed cost was estimated to be less than five hundred dollars. The Commission Staff investigated this rule and has not discovered any information that shows the cost estimate was not accurate. Staff has recently contacted the industry for input and no party indicates this rulemaking's cost estimate as published in the Missouri Register was inaccurate. Since the Commission Staff's investigation indicates the published cost estimates related to the implementation of this rule has not been exceeded, no Missouri Register publication is required under Section 536.200.2 RSMo.

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Missouri Surcharge Billing and Collection     )  
Standards    )

Case No. TX-2008-0392

**AFFIDAVIT OF   Dana Parish**

STATE OF MISSOURI                     )  
  ) ss:  
COUNTY OF COLE                     )

Dana Parish, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying document and that the facts therein are true and correct to the best of her knowledge and belief.

  
\_\_\_\_\_  
Dana Parish

Subscribed and affirmed before me this 13<sup>TH</sup> day of July 2010

I am commissioned as a notary public within the County of Callaway,

State of Missouri and my commission expires on 9-21-10



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

  
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NOTARY PUBLIC