

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

In the Matter of a Proposed Rulemaking to Amend )	
4 CSR 240-3 .570, Requirements for Carrier )	
Designation as Eligible Telecommunications )	File No. TX-2008-0007
Carriers )	

**REPORT OF FISCAL IMPACT**

COMES NOW the Staff of the Missouri Public Service Commission, by and through its Office of General Counsel, pursuant to § 536.200.2 RSMo 2000, and states as follows:

1. On March 30, 2008, the Commission amended the existing rule (4 CSR 240-3.570) governing annual USF certification submissions to provide more guidance on content. At the time of the amendment proposal and adoption, the Commission estimated to not have a public entity cost or private entity cost exceeding \$500 in the aggregate.

2. Pursuant to the requirements in § 536.200.2 RSMo 2000, the Commission Staff has reviewed the actual costs incurred by regulated entities in complying with the rule as amended. That review indicates that the initial fiscal impact projections were correct. Therefore, no additional Commission action concerning the amendment is required.

3. Attached as Exhibit A is the Staff's notarized affidavit concerning its review of the fiscal impact of the amendment.

**WHEREFORE**, the Staff respectfully submits this Report and suggests that, as no further action in this matter is required, this matter may be closed.

Respectfully submitted,



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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 29<sup>th</sup> day of July, 2009.



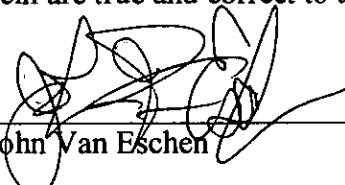
**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of Proposed Rulemaking to       )  
Amend 4 CSR 240-3.570, Requirements       )  
for Carrier Designation as Eligible       )  
Telecommunications Carriers       )  
Case No. TX-2008-0007

**AFFIDAVIT OF John Van Eschen**

STATE OF MISSOURI       )  
  ) ss:  
COUNTY OF COLE       )


John Van Eschen, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that he has participated in preparing the accompanying document and that the facts therein are true and correct to the best of his knowledge and belief.

  
\_\_\_\_\_  
John Van Eschen

Subscribed and affirmed before me this 22 day of June 2009  
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

  
\_\_\_\_\_  
NOTARY PUBLIC

## **Memorandum**

**To:** Official Case File  
Case No. TX-2008-0007

**From:** John Van Eschen  
Telecommunications Department

**Subject:** Fiscal Analysis Review for 4 CSR 240-3.570 rulemaking

**Date:** June 22, 2009

This rulemaking pertains to eligible telecommunications carrier (ETC) requirements and is comprised of Commission rule 4 CSR 240-3.570. In general this rulemaking codified existing annual certification requirements as well as strived for parity in such requirements for any ETC. This rule became effective on March 30, 2008. 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.