

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

In the Matter of Proposed Rulemaking to)	
Amend 4 CSR 240-31 .050, Eligibility for)	
Funding - Low-Income Customers and)	File No. TX-2008-0122
Disabled Customers)	

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 June 30, 2008, the Commission amended the existing rule (4 CSR 240-31.050) governing the standards for determining and verifying eligibility for participation in the Low-Income Customer and Disabled Customer programs of the Universal Service Fund (USF). At the time of the amendment proposal and adoption, the Commission estimated to the public entity cost to be \$79,632 and the private entity cost to be \$52,000.

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,



Colleen M. Dale
Senior Counsel
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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 29th day of July, 2009.



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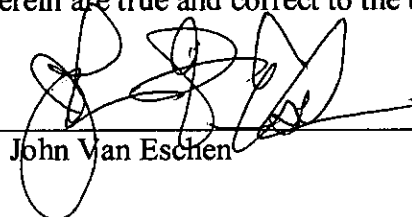
In the Matter of Proposed Rulemaking to)
Amend 4 CSR 240-31.050, Eligibility for)
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Disabled Customers)

Case No. TX-2008-0122

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-2008-0122

From: John Van Eschen
Telecommunications Department

Subject: Fiscal Analysis Review for 4 CSR 240-31.050 rulemaking

Date: June 22, 2009

This rulemaking pertains to low-income and disabled customer funding eligibility and is comprised of Commission rule 4 CSR 240-31.050. In general this rulemaking established requirements to ensure telecommunications carriers establish processes to verify an applicant's eligibility for Lifeline service. In addition this rulemaking allows the Missouri Commission Staff to audit such processes. This rule became effective on June 30, 2008. The rule was estimated to have a public entity cost of \$79,632 on the Missouri Public Service Commission and the private entity cost was projected to be \$52,000.

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 were not accurate. Staff has recently contacted the industry for input and no party indicates this rulemaking's private entity cost estimate as published in the Missouri Register was inaccurate. In regards to the public entity cost the Missouri Commission Staff is also of the opinion the public entity cost is accurate even though Staff has not yet conducted the audits as contemplated by this rulemaking. 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.