

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

In the Matter of a Proposed Rulemaking to)	
Implement the Missouri Universal Service)	Case No. TX-2002-1026
Fund End-User Surcharge)	

FISCAL NOTE REVIEW MEMORANDUM

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

1. This rulemaking modified the Missouri Public Service Commission's Missouri Universal Service Fund (MoUSF) rules. The Secretary of State (SOS) published the Commission's Final Order of Rulemakings in the June 2, 2003 *Missouri Register*, Volume 28, Number 11, amending rules 4 C.S.R. 240-31.010, 31.050, 31.060, 31.065 and 33.070 . The amended rules became effective on July 30, 2003.

2. Section 536.200.2 RSMo (2000) requires agencies to make a filing with the SOS if, after the first full year after implementation, the cost of the rule exceeds agency estimates. The first full year after the rule was implemented was the fiscal year beginning July 1, 2004 and ending June 30, 2005. On July 14, 2005, the Staff filed a Memorandum advising the Commission that the Staff had conducted a review of the fiscal estimates from the rule changes adopted in this case and had determined that no fiscal estimate changes needed to be filed with the SOS.

3. The MoUSF itself, however, was first implemented in May 2005. Staff noted it would be helpful to conduct an additional fiscal analysis after the first full fiscal year following implementation of the MoUSF. Staff therefore submits this second

review of the fiscal estimates associated with 4 C.S.R. 240-31.010, 31.050, 31.060, 31.065 and 33.070.

4. The first full fiscal year after the MoUSF was implemented was the fiscal year beginning July 1, 2005 and ending June 30, 2006. In the attached Memorandum, Staff advises the Commission that Staff conducted a review of the fiscal estimates from the rule changes adopted in this case and has determined that the published cost estimates have not been exceeded.

WHEREFORE, Staff respectfully submits the attached Memorandum.

Respectfully submitted,

/s/ Jennifer Heintz_____

Jennifer Heintz
Assistant General Counsel
Missouri Bar No. 57128

Attorney for the Staff of the
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
(573) 751-8701 (Telephone)
(573) 751-9285 (Fax)
jennifer.heintz@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to the following this 26th day of July 2006.

/s/ Jennifer Heintz_____