

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

In the Matter of a Proposed Rescission and     )  
Consolidation of Commission Rules Relating     )  
to Telecommunications                                 )

**File No. TX-2015-0097**

**STAFF'S MEMORANDUM**

**COMES NOW** Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and respectfully files the attached *Memorandum* pursuant to *General Procedure 1*, stating Staff's finding that the actual cost of the rescissions and consolidations at 4 CSR 240-28 to public and private entities have not exceeded the estimates by more than 10 percent.

**WHEREFORE**, Staff files this *Memorandum* for the Commission's information and consideration.

Respectfully Submitted,

s/ Kevin A. Thompson  
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Attorney for the Staff of the Missouri  
Public Service Commission.

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 20<sup>th</sup> day of July, 2017, to all counsel of record in this proceeding.

s/ Kevin A. Thompson

## MEMORANDUM

TO; Case File for Case No. TX-2015-0097

FROM: John Van Eschen, on Behalf of the Commission Staff

SUBJECT: Accuracy of Cost Estimates for Rescinding and Consolidating Rules into 4 CSR  
240-28

DATE: July 19, 2017

The Commission Staff has investigated the cost of implementing the rule revisions adopted by the Commission through this case and reports that it has not discovered any information showing the cost estimate published in the *Missouri Register* was inaccurate. Additionally, the Staff reports that it has not received any information from any party potentially or actually affected by these rules showing the cost estimate published in the *Missouri Register* was inaccurate.

The Commission's General Procedure GP-1 (GP-1) requires, among other things, that within 30 days before the end of the first full fiscal year after the implementation of a rule, amendment or rescission that Staff is to investigate whether the cost to all affected entities, including the Commission, has exceeded by ten percent or more the estimated cost in the fiscal note, or, where appropriate, has exceeded five hundred dollars.

GP-1 also requires the Staff to prepare a memorandum showing the results of its investigation within thirty (30) days after the end of the first full fiscal year of the implementation of the rule, amendment or rescission. If the Staff investigation shows the costs have not exceeded ten percent for all entities, or where appropriate, the estimated five hundred dollars, Staff's Memorandum shall be entered into EFIS under the rulemaking's docket number.

Staff's response regarding the accuracy of the published cost estimates is within the time frame specified by Section 536.200.2, RSMo 2000. This statute requires publication in the *Missouri Register* of a report of any excess cost over estimated cost, or cost over five hundred dollars, where appropriate, within 90 days after the close of the "first full fiscal year" after the implementation of the subject rule, amendment or recession. The change in the rules subject to this case became effective on December 30, 2015. The first full fiscal year after implementation ended on June 30, 2017. Accordingly, September 28, 2017 represents the 90-day expiration period for the publication of a report regarding excess cost information in the *Missouri Register*. Since the Staff's investigation indicates the published cost estimates have not been exceeded, no *Missouri Register* publication is required under Section 536.200.2 RSMo 2000.