

MEMORANDUM

TO: Dale Hardy Roberts, Secretary

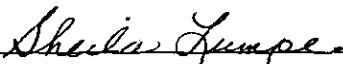
DATE: December 7, 1999

RE: Authorization to File Order of Rulemaking with the Office of Secretary of State

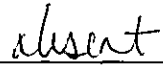
CASE NO.: AX-2000-113
4 CSR 240-2.065

AGENDA DATE: December 9, 1999

The undersigned Commissioners hereby authorize the Secretary of the Missouri Public Service Commission to file Order of Rulemaking with the Office of Secretary of State.


Sheila Lumpe, Chair


Harold Crumpton, Commissioner


Connie Murray, Commissioner


Robert Schemenauer, Commissioner


M. Dianne Drainer, Vice Chair

Administrative Rules Stamp

RECEIVED

JAN 21 2000

**SECRETARY OF STATE
ADMINISTRATIVE RULES DIVISION**

REBECCA MCDOWELL COOK
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-2.065
Diskette File Name 2.065 rescission (Word 97 format)
Name of Person to call with questions about this rule:
Context Bill Hopkins Phone 573-751-4255 FAX 573-751-1847
Data Entry Lonnell Boyce Phone 573-751-3350 FAX 573-751-1847
Interagency Mailing Address Truman Bldg., 301 W. High St., Room 530, Jefferson City, MO

Statutory Provision for Rulemaking
Authority § 386.410 Provide Most Current RSMo Year 1998

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo Supp. 1998, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED: FORMS, List by Mo-Form Number, # of Pages
☒ Cover Letter
☐ Affidavit
☐ Cost Statements
☐ Public Entity Fiscal Note OTHER
☐ Private Entity Fiscal Note

C. RULEMAKING ACTION TO BE TAKEN
☐ Emergency Rulemaking, Must Specify Effective Date
☐ Proposed Rulemaking (New Rule)
☒ Order of Rulemaking (MUST complete page 2 of this transmittal)
☐ Withdrawal (Rule, Amendment, Rescission or Emergency)
☐ Rule Action Notice
☐ In Addition

D. SPECIFIC INSTRUCTIONS: In this space indicate any special instructions (e.g., specify publication date preference, identify material incorporated by references, etc.)

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number 4 CSR 240-2.065

1a. Effective Date for the Order

Statutory 30 days ☒ or later specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

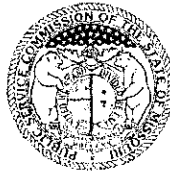
YES _____ NO ☒

1c. If the answer is YES, please complete section F. If the answer is NO, Stop here.

F. Please provide a complete list of the changes in the rule text for the order or rulemaking, indicating the specific section, subsection, subparagraph, part, etc., where each change is found.

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners

SHEILA LUMPE
Chair

HAROLD CRUMPTON

CONNIE MURRAY

ROBERT G. SCHEMENAUER

M. DIANNE DRAINER
Vice Chair

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.ecodev.state.mo.us/psc/>

January 21, 2000

GORDON L. PERSINGER
Acting Executive Director
Director, Research and Public Affairs

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Honorable Rebecca McDowell Cook
Secretary of State
600 West Main Street
Jefferson City, Missouri 65101

ATTENTION: Administrative Rules Division

I do hereby certify that the attached are accurate and complete copies of the Orders of Rulemaking lawfully submitted by the Missouri Public Service Commission for filing this 21st day of January, 2000.

Rules: 4 CSR 240-2.010 – Definitions
4 CSR 240-2.040 – Practice Before the Commission
4 CSR 240-2.050 – Computation of Effective Dates
4 CSR 240-2.060 – Applications
4 CSR 240-2.065 – Tariff Filings Which Create Docketed Cases
4 CSR 240-2.070 – Complaints
4 CSR 240-2.075 – Intervention
4 CSR 240-2.080 – Pleadings
4 CSR 240-2.090 – Discovery and Prehearings
4 CSR 240-2.100 – Subpoenas
4 CSR 240-2.110 – Hearings
4 CSR 240-2.115 – Nonunanimous Stipulations and Agreements
4 CSR 240-2.116 – Dismissal
4 CSR 240-2.120 – Presiding Officers
4 CSR 240-2.125 – Procedures for Use of a Presiding Officer
in Settlement Negotiations
4 CSR 240-2.130 – Evidence
4 CSR 240-2.140 – Briefs and Oral Arguments
4 CSR 240-2.150 – Orders of the Commission
4 CSR 240-2.160 – Rehearings or Reconsideration
4 CSR 240-2.170 – Forms
4 CSR 240-2.180 – Rulemaking
4 CSR 240-2.200 – Small Company Rate Increase Procedure

Honorable Rebecca McDowell Cook

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January 21, 2000

Statutory authority: Section 386.410, RSMo Supp. 1998

Missouri Public Service Commission Case Nos.: AX-2000-108, AX-2000-110 through AX-2000-116,
and AX-2000-118 through AX-2000-131

If there are any questions, please contact: *(These rules are assigned to several regulatory law judges. Please refer to the transmittal form for the name, phone number and fax number of the regulatory law judge assigned to a particular rule.)*

BY THE COMMISSION

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:jp

Enclosures: Packets for 22 Orders of Rulemaking
Orders of Rulemaking in Word 97 format on 3-1/2" diskette

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 2—Practice and Procedure**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.410, RSMo Supp. 1998, the commission rescinds a rule as follows:

4 CSR 240-2.065 Tariff Filings Which Create Cases is rescinded.

A notice of the proposed rescission was published in the *Missouri Register* on October 1, 1999 (24 MoReg 2324). This rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: This rescission was proposed in conjunction with a replacement proposed rule. The comments received were directed to the proposed rule and are summarized there.