

Jason Kander

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

FILED
August 28, 2015
Data Center
Missouri Public
Service Commission

Rule Number 4 CSR 240-33.100

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

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TYPE OF RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency rulemaking, include effective date
☐ Proposed Rulemaking
☐ Withdrawal ☐ Rule Action Notice ☐ In Addition ☐ Rule Under Consideration
☐ Request for Non-Substantive Change
☐ Statement of Actual Cost
☒ Order of Rulemaking

Effective Date for the Order _____

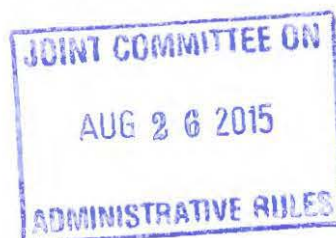
☐ Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? ☒ NO

☐ YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp





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Chairman

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Jason Kander
Secretary of State
Administrative Rules Division
600 West Main Street
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Re: 4 CSR 240-33.100 Variance

Dear Secretary Kander,

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission.

Statutory Authority: sections 386.040, RSMo 1994 and 386.250 and 392.200, RSMo Supp. 1998.

If there are any questions regarding the content of this proposed rulemaking, please contact:

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Morris L. Woodruff
Chief Regulatory Law Judge

Enclosures

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 33 – Service and Billing Practices for Telecommunication
Companies**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under section 386.250, RSMo 2000, the commission rescinds a rule as follows:

4 CSR 240-33.100 Variance is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 1, 2015 (40 MoReg 575). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended June 29, 2015, and the commission held a public hearing on the proposed rescission on July 6, 2015. The commission received a timely written comment from the Staff of the Commission. No one addressed the proposed rescission at the hearing.

COMMENT #1: Staff explained that the rule is outdated and no longer needed. Simplified variance procedures have been moved to a new Chapter 28 in the commission's rules.

RESPONSE: The commission thanks Staff for its comment and agrees the rule should be rescinded.

