
Rules of
Department of Economic
Development
Division 240—Public Service Commission
Chapter 30—Telephone Utilities

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**Title 4—DEPARTMENT OF
ECONOMIC DEVELOPMENT**

**Division 240—Public Service
Commission**

Chapter 30—Telephone Utilities

4 CSR 240-30.010 Rate Schedules

(Rescinded April 30, 2003)

AUTHORITY: section 392.220, RSMo Supp. 1991. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed May 16, 1977, effective Dec. 11, 1977. Rescinded: Filed Aug. 16, 2002, effective April 30, 2003.

Warner v. Southwestern Bell Telephone Co., 428 SW2d 596 (Mo. 1968). Telephone company engaged in intrastate commerce subject to statutes establishing PSC and to its lawful rules.

State ex rel. City of West Plains v. Public Service Commission, 310 SW2d 925 (Mo. banc 1958). Rules prescribed by commission for telephone company pertaining to manner in which utility would thereafter treat expense item of license and occupation taxes became integral part of company's schedule of rates and charges.

4 CSR 240-30.020 Residential Telephone Underground Systems

PURPOSE: This rule prescribes the use of residential telephone underground distribution systems for the advancement of public safety and health, for the benefit of aesthetics and for the promotion of public convenience and safety.

(1) The following words and terms, when used in this rule shall have the meaning indicated:

(A) Applicant—the developer, builder or other person, partnership, association, firm, private or public corporation, trust, estate, political subdivision, governmental agency or other legal entity recognized by law, applying for the construction of a telephone distribution system in a subdivision;

(B) Building—a single structure roofed and enclosed within exterior walls, built for permanent use, erected, framed of component structural parts and unified in its entirety both physical and in operation for single-family residential occupancy in a subdivision;

(C) Commission—the Public Service Commission of the state of Missouri as defined in section 386.020(1), RSMo;

(D) Multiple-occupancy building—a structure which stands alone, enclosed with exte-

rior walls or which is cut off from adjoining structures by fire walls, built for permanent use, erected, framed of component structural parts and unified in entirety, both physically and in operation for reasonably permanent occupancy as two (2) or more single-family residences in a subdivision;

(E) Subdivision—a lot, tract or parcel of land divided into two (2) or more lots, plots, sites or other divisions for use for new residential buildings or the land on which is constructed new multiple-occupancy buildings per a recorded plat if the record is required by law; and

(F) Utility—an electrical corporation as defined in section 386.020(25), RSMo.

(2) After January 23, 1973, telephone lines constructed, installed and owned by utilities in subdivisions shall be installed underground. Conversion of an existing overhead telephone line to underground shall not be required for those new buildings or multiple-occupancy buildings on lots which abut an existing overhead telephone line. Telephone lines installed by a utility shall be installed in accordance with the provisions of this rule.

(3) This rule shall be applicable to all utilities having facilities within this state.

(4) Within the applicant's subdivision, the utility shall construct, own, operate and maintain underground telephone lines only along public streets, roads and highways which the utility has the legal right to occupy and on public lands and private property across which rights-of-way and easements, satisfactory to the utility, may be obtained without cost to or condemnation by it. Rights-of-way and easements, within the subdivision, satisfactory to the utility, must be furnished by the applicant in reasonable time to meet construction and service requirements and before the utility shall be required to commence its installation, such rights-of-way and easements, by applicant, at no charge to the utility, must be cleared of trees, tree stumps and other obstructions and graded to within six inches (6") of final grade. Clearance and grading must be maintained by the applicant during construction by the utility.

(5) Upon receipt of a proper application, the utility, at no charge, shall install an underground telephone system with suitable materials to assure that the applicant will receive safe, adequate and reasonable telephone service for the foreseeable future.

(6) Where, due to the manner in which a subdivision is developed, the utility is required to construct an underground telephone distribution system through a section(s) of the subdivision where service will not be connected for at least two (2) years, then the utility may require a reasonable advancement for the construction from the applicant before construction is commenced, in order to guarantee performance. Where the subdivision is developed in a uniform manner, so that the utility may restrict the construction of its underground telephone distribution system to a section(s) in which buildings or multiple-occupancy buildings are being constructed, the utility may not require an advance. If advance is required, then the advance, without interest, shall be returned to the applicant on a *pro rata* basis as the permanent service connection is made to each building or multiple-occupancy building. Any portion of an advance remaining unrefunded ten (10) years from the date the utility is first ready to render service with the extension will be retained by the utility and credited to the appropriate construction account.

(7) This rule is based on the premise that each utility and applicant will cooperate at all times in an effort to keep the cost of construction, installation, maintenance and operation of the underground telephone distribution system as low as possible.

(8) The following shall apply to construction of underground telephone distribution systems:

(A) To the extent practicable, electric cables, telephone cables and gas pipes may be installed in the same trench, care being taken to conform to any applicable code and utility specification;

(B) All construction, installation, maintenance and operation of underground telephone systems shall be in accordance with applicable codes, orders, rules or utility specifications if the specifications comply with this rule; and

(C) When necessary, temporary facilities may be installed to provide service within a subdivision for a maximum period of one (1) year following the installation of those facilities. The utility shall notify the commission in writing when any temporary facilities are installed in areas where underground facilities are required, and further notify the commission in writing when those facilities are removed or installed underground. Notices shall be made within thirty (30) days of installation or removal.

(9) In circumstances when the application of these rules appears impracticable or unjust to either party or discriminatory to other customers, for example, difficult rock conditions, the utility or applicant shall refer the matter to the commission for special ruling or for the approval of special conditions which may be mutually agreed upon prior to commencing construction.

AUTHORITY: section 386.310, RSMo Supp. 1989.* Original rule filed Jan. 11, 1973, effective Jan. 23, 1973.

*Original authority: 386.310, RSMo 1939, amended 1979, 1989.

4 CSR 240-30.030 Extended Area Service (Rescinded September 24, 1987)

AUTHORITY: sections 386.040, 386.250, 386.310, 386.410, 392.220, 392.240, 392.250 and 393.140, RSMo 1978. Original rule filed Dec. 11, 1975, effective Dec. 23, 1975. Amended: Filed Jan. 14, 1977, effective June 11, 1977. Rescinded: Filed June 26, 1987, effective Sept. 24, 1987.

4 CSR 240-30.040 Uniform System of Accounts—Class A and Class B Telecom- munications Companies

PURPOSE: This rule adopts the Federal Communications Commission's Part 32 uniform system of accounts to permit uniformity, as much as is advisable, in the filing of annual reports and the maintenance of books and records of companies regulated by both the FCC and the Missouri Public Service Commission. This rule prescribes for record-keeping purposes a uniform system of accounts for Class A and Class B telecommunications companies regulated by the Missouri Public Service Commission. This rule also prescribes that, unless otherwise directed by the commission, certain telecommunications companies must develop surrogates to approximate the capital to expense shifts resulting from the use of Part 32, and that all Class B telecommunications companies must keep their plant accounts in Part 32, Class A detail.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of

State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) The uniform system of accounts prescribed by the Federal Communications Commission (FCC) for Class A and Class B telecommunications companies effective January 1, 1988, and the text pertaining to the accounts, and contents of the accounts system, a copy of which be approved by the commission and prescribed for the use of Class A and Class B telecommunications companies subject to the jurisdiction of the commission and that every such telecommunications company is required to keep all accounts in conformity with and those telecommunications companies that have not already adopted the uniform system of accounts of the FCC are ordered to do so for intrastate recordkeeping purposes. For purposes of recordkeeping conformity with the uniform system of accounts prescribed by the FCC for telecommunications companies effective January 1, 1988, this commission classifies for accounting purposes Class A and Class B telecommunications companies as follows:

(A) Class A—Companies having annual revenues from regulated telecommunications operations of more than \$100,000,000 system-wide;

(B) Class B—Companies having annual revenues from regulated telecommunications operations of \$100,000,000 or less system-wide; and

(C) Class B companies that desire more detailed accounting may adopt the accounts prescribed for Class A companies upon the submission of a written notification to the commission.

(2) The uniform system of accounts prescribed by the FCC for Class A and Class B telecommunications companies consists of: general instructions; balance sheet accounts—current and noncurrent assets; telecommunications plant accounts; balance sheet accounts—depreciation and amortization; balance sheet accounts—liabilities and stockholders equity; revenue accounts; expense accounts; and income accounts. The uniform system of accounts breaks down each of these major items into individual subitems or accounts.

(3) The adoption by telecommunications companies in Missouri of the uniform system

of accounts issued by the FCC shall in no wise bind the commission to the approval or acceptance of any item or account for the purpose of fixing rates or in determining any other matter that may come before the commission.

(4) Class B companies that desire more detailed accounting than is required of them under this rule may do so upon the submission of a written notification to the commission.

(5) All Class B telecommunications companies shall keep their plant accounts in Part 32, Class A detail.

AUTHORITY: section 392.210, RSMo 1994.* Original rule filed June 15, 1964, effective June 30, 1964. Amended: Filed April 26, 1976, effective Sept. 11, 1976. Amended: Filed July 16, 1979, effective Feb. 1, 1980. Rescinded and readopted: Filed May 17, 1988, effective Oct. 27, 1988. Amended: Filed March 19, 1996, effective Oct. 30, 1996.

*Original authority: 392.210, RSMo 1939, amended 1984, 1987.

4 CSR 240-30.050 Uniform System of Accounts—Class C and D Telephone Cor- porations (Rescinded October 27, 1988)

AUTHORITY: section 392.210, RSMo Supp. 1987. Original rule filed June 15, 1964, effective June 30, 1964. Amended: Filed April 26, 1976, effective Sept. 11, 1976. Amended: Filed July 16, 1979, effective Feb. 1, 1980. Rescinded: Filed May 17, 1988, effective Oct. 27, 1988.

4 CSR 240-30.060 Minimum Filing Requirements (Rescinded October 10, 1993)

AUTHORITY: sections 392.210 and 392.220, RSMo 1986. Original rule filed Dec. 10, 1979, effective Sept. 1, 1980. Rescinded: Filed Feb. 4, 1993, effective Oct. 10, 1993.