



Rules of
Department of Commerce and
Insurance
Division 4240—Public Service Commission
Chapter 28—Communications

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE**
**Division 4240—Public Service
Commission**
Chapter 28—Communications

20 CSR 4240-28.010 Definitions

PURPOSE: This rule defines various terms used in this chapter, which are not defined in sections 386.020 or 67.2677, RSMo.

(1) Access line—A line connected to the customer's premises used to provide basic local telecommunications service or used to provide IVoIP service.

(2) Certificate of service authority—Authorization granted by the commission or charter by the state of Missouri to provide basic local telecommunications service, nonswitched local telecommunications service, interexchange telecommunications service, payphone service, or shared tenant service.

(3) Commission—The Missouri Public Service Commission.

(4) Commission's website—www.psc.mo.gov.

(5) EFIS—The commission's Electronic Filing and Information System (EFIS). EFIS may be accessed through the commission's website.

(6) Interconnection agreement—An agreement filed with a state commission pursuant to 47 U.S.C. 252 containing the terms, conditions, and rates associated with interconnection services pursuant to 47 U.S.C. 251.

(7) Interconnected voice over internet protocol service (IVoIP)—A communications service as defined by section 386.020, RSMo.

(8) Intrastate—A telecommunications or IVoIP service originating and terminating within Missouri regardless of how the service is routed.

(9) Missouri jurisdictional revenue—A company's total revenue associated with the provisioning of intrastate telecommunications and IVoIP services. This revenue includes a company's net jurisdictional revenue, wholesale revenues, and any revenue received from the Missouri Universal Service Fund minus wholesale uncollectibles. Total Missouri jurisdictional operating revenue is annually reported and is used for the commission assessment.

(10) Non-switched local exchange telecommunications service—Service connecting customer locations within an exchange to other points within the exchange provisioned by facilities dedicated to these locations and points, and which facilities do not switch the service to other locations and points.

(11) Payphone service—Service providing two- (2-) way voice service for a fee to the general public using a privately owned device.

(12) Registration—The granting of a registration to provide interconnected voice over Internet protocol service or video service by the commission.

(13) Shared tenant service—The provisioning of a commercially shared telecommunications service provided to residents in a building or a common limited geographic area.

(14) Tariff—A document submitted to the commission identifying the telecommunications services offered by a company and also identifying the rates, terms, and conditions for the use of such services.

AUTHORITY: sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016. This rule originally filed as 4 CSR 240-28.010. Original rule filed April 1, 2015, effective Dec. 30, 2015. Amended: Filed April 12, 2018, effective Dec. 30, 2018. Moved to 20 CSR 4240-28.010, effective Aug. 28, 2019.*

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; 392.450, RSMo 1987, amended 1996, 2008; and 392.461, RSMo 2011, amended 2013, 2014.*

20 CSR 4240-28.011 Certificate of Service Authority and/or Registration

PURPOSE: This rule identifies information relevant to obtaining a certificate of service authority and/or registration.

(1) Sample application forms for authorization to obtain or alter a certificate of service authority to provide basic local telecommunications, non-switched local exchange telecommunications, interexchange telecommunications, payphone, shared tenant services, or registration to provide IVoIP service are available on the commission's website.

(A) Authorization is limited to the service area specified by the company's initial application; however, a company's service area can later be altered by submitting a Notice of Change form.

(B) An attorney licensed to practice law in

Missouri must file the application form or the Notice of Change form.

(2) Any company with a certificate or registration that changes its name shall provide advance notice to the commission of the name change.

(A) Notice may be in the form of a letter signed by a company official submitted into Electronic Filing and Information System (EFIS) as a new case submission containing the following information:

1. The new name of the company and date the new name takes effect;

2. Documentation that the new name is registered with the Missouri Secretary of State; and

3. A statement the company has reviewed and, if necessary, updated the company's contacts in EFIS.

(B) If the company maintains a tariff, then the letter must be accompanied by either a tariff filing that replaces the existing tariff in its entirety or a one- (1-) page adoption notice of the existing tariff.

(3) Cancelling a certificate of service authority or registration may be accomplished by filing a letter signed by a company official into EFIS that identifies when and which specific certificate, registration, and any applicable tariffs should be cancelled.

(4) Transactions involving the sale, merger, or consolidation of a company with an existing certificate of service authority or registration do not require commission approval. Commission notice, as described in sections (2) and (3) above, applies if the transaction results in a name change or cancellation of a company's existing certificate of service authority or registration.

(5) Any company granted a certificate or registration by the commission shall maintain an updated list of company contacts in EFIS.

AUTHORITY: sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016. This rule originally filed as 4 CSR 240-28.011. Original rule filed April 12, 2018, effective Dec. 30, 2018. Moved to 20 CSR 4240-28.011, effective Aug. 28, 2019.*

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; 392.450, RSMo 1987, amended 1996, 2008; and 392.461, RSMo 2011, amended 2013, 2014.*

20 CSR 4240-28.012 Annual Reports, Statements of Revenue, and Assessments

PURPOSE: This rule identifies annual report



and assessment requirements for companies authorized to provide telecommunications and/or IVoIP services in Missouri.

(1) Annual Reports and Statements of Revenues – The commission’s website contains forms, deadlines, and instructions for annual reports, including how to address common revenue reporting issues.

(A) Any company registered to provide IVoIP service or with a certificate of service authority to provide nonswitched local, basic local, or interexchange telecommunications service shall file an annual report. A company’s Missouri jurisdictional retail revenue identified in the annual report will be provided to the Missouri Universal Service Fund (USF) administrator.

(B) Statement of revenue report. Any company registered to provide IVoIP service or with a certificate of service authority to provide non-switched local, basic local, or interexchange telecommunications service, payphone service, or shared tenant services is required to file a statement of revenue report identifying a company’s Missouri jurisdictional revenue.

(C) The deadline for a company to submit a completed annual report is April 15.

1. A company that is unable to meet the April 15 submission date deadline may request an extension of this deadline by filing a letter through EFIS. The letter shall include an explanation for failing to meet the deadline and the date by which the annual report will be filed.

A. If a request for extension is made before the filing deadline, a thirty (30) day extension will automatically be granted.

B. Requests for an extension greater than thirty (30) days or requests after the filing deadline for an extension will be handled on a case-by-case basis depending on the explanation contained in the request.

(2) Assessments—Information about assessments may be found on the commission’s website or as otherwise indicated below.

(A) Commission assessment. Any company required to submit a statement of revenue report is subject to the commission assessment, as provided in section 386.370, RSMo. This assessment is determined by a factor identified on the commission’s website that is then applied to a company’s Missouri jurisdictional revenue.

(B) Missouri USF assessment. Any company required to submit an annual report to the commission is subject to the Missouri USF assessment. This assessment is based on a factor applied to a company’s net jurisdictional revenue as defined and explained in 4

CSR 240-31. Information about the Missouri USF assessment is posted on the Missouri USF administrator’s website www.missouri-usf.com.

(C) Relay Missouri assessment. Any company registered to provide IVoIP service or with a certificate of service authority to provide basic local telecommunications service is subject to the Relay Missouri assessment. A company is required to bill a designated amount to each access line and label it as the “Relay Missouri Surcharge.” A company may retain a portion of the revenue collected. These arrangements along with special considerations for applying this assessment are addressed on the commission’s website.

(D) If a company has filed for bankruptcy, the company must notify the commission. Notice can be in the form of a letter filed into EFIS as a non-case related submission indicating the date of filing for bankruptcy, bankruptcy court, case number, and chapter number. A letter must be filed under the same tracking number when the company emerges from bankruptcy.

AUTHORITY: sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016. This rule originally filed as 4 CSR 240-28.012. Original rule filed April 12, 2018, effective Dec. 30, 2018. Moved to 20 CSR 4240-28.012, effective Aug. 28, 2019.*

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20 CSR 4240-28.013 Tariff Filings and Interconnection Agreements

PURPOSE: This rule identifies guidelines for filing tariffs and interconnection agreements.

(1) Maintaining a tariff with the commission is discretionary for retail telecommunications services, as provided in section 392.461, RSMo. The commission’s website contains information about tariff format, as well as the process for cancelling and no longer maintaining a tariff. A telecommunications company must maintain a tariff for any commission-regulated wholesale service such as exchange access service.

(2) Interconnection agreements are filed and maintained in EFIS as identified below. Additional filing instructions may be found on the commission’s website.

(A) Interconnection agreement or amendment to an interconnection agreement not previously approved shall be filed in an appli-

cation signed by an attorney licensed to practice law in Missouri.

(B) An adoption of an approved interconnection agreement and any amendment that has been previously approved by the commission may be requested by filing a letter to the secretary of the commission. Approved interconnection agreements whose original term has expired, but which remain in effect pursuant to term renewal or extension provisions, are subject to adoption for as long as the interconnection agreement remains subject to the renewal or extension provisions.

(C) Any adoption is subject to objection. The commission will send notice to the non-signing party allowing twenty (20) days for objection. If no objection is filed, the adoption will be approved by the commission. If an objection is filed, the commission will determine whether the adoption should be approved or rejected.

(D) The incumbent basic local exchange telecommunications company that is a party to any interconnection agreement that is terminated shall notify the secretary of the commission of its termination by filing a letter in a new case.

AUTHORITY: sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016. This rule originally filed as 4 CSR 240-28.013. Original rule filed April 12, 2018, effective Dec. 30, 2018. Moved to 20 CSR 4240-28.013, effective Aug. 28, 2019.*

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; 392.450, RSMo 1987, amended 1996, 2008; and 392.461, RSMo 2011, amended 2013, 2014.*

20 CSR 4240-28.014 Network Configuration

PURPOSE: This rule provides network configuration standards as contemplated by section 392.611.3, RSMo.

(1) Any company certificated or registered with the commission has a duty to ensure calls are being completed. No company shall intentionally frustrate, delay, impede, or prevent the completion of any intrastate call.

(2) Any company providing intrastate telecommunications service shall comply with the safety standards identified in 4 CSR 240-18.010.

AUTHORITY: sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016. This rule originally filed as 4 CSR 240-28.014. Original rule filed April 12,*



2018, effective Dec. 30, 2018. Moved to 20 CSR 4240-28.014, effective Aug. 28, 2019.

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; 392.450, RSMo 1987, amended 1996, 2008; and 392.461, RSMo 2011, amended 2013, 2014.*

20 CSR 4240-28.015 211 Service

PURPOSE: *This rule identifies requirements for an entity providing Information and Referral Services accessible by dialing “211” in Missouri.*

(1) An entity may only provide information and referral (I&R) service if it is accredited by the Alliance of Information and Referral Systems and is authorized by the commission to provide I&R services accessible by callers dialing “211” in Missouri. Only one (1) I&R provider shall be authorized per area. An application to provide I&R service shall be electronically filed as a new case submission in Electronic Filing and Information System (EFIS). Application instructions may be found on the commission’s website.

(2) Authorization granted by the commission will be for a period of three (3) years. If an I&R provider seeks to maintain the 211 dialing arrangement beyond this time period, then the provider may reapply approximately ninety (90) days prior to the expiration of the provider’s authorization.

(3) An I&R provider with authorization to receive 211 dialed calls shall file into EFIS a public report that provides call performance information by April 15 of each year. Specific instructions may be found on the commission’s website.

AUTHORITY: *sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016.* This rule originally filed as 4 CSR 240-28.015. Original rule filed April 12, 2018, effective Dec. 30, 2018. Moved to 20 CSR 4240-28.015, effective Aug. 28, 2019.*

**Original authority: 386.040, RSMo 1939; 386.250, RSMo 1939, amended 1963, 1967, 1977, 1980, 1987, 1988, 1991, 1993, 1995, 1996; 386.310, RSMo 1939, amended 1979, 1989, 1996; 392.450, RSMo 1987, amended 1996, 2008; and 392.461, RSMo 2011, amended 2013, 2014.*

20 CSR 4240-28.016 Telephone Numbering

PURPOSE: *The commission has certain authority over telephone numbering resources as provided by FCC rules, FCC Order DA 00-1616 released July 20, 2000 and FCC Order 06-14 released February 24, 2006. This rule*

identifies provisions relating to the commission’s oversight of telephone resources within Missouri.

(1) A carrier that requests the commission overturn a decision of the North American Numbering Plan Administrator (NANPA) or the Thousands-Block Pooling Administrator (PA) to deny a carrier’s request for additional numbering resources shall file an application with the commission which includes the following:

(A) A Months-to-Exhaust Worksheet that provides utilization by rate center for the preceding six (6) months and projected monthly utilization for the next twelve (12) months;

(B) The carrier’s current numbering resource utilization level, FCC Form U1 of Form 502, for the rate center in which it is seeking growth numbering resources;

(C) A copy of the carrier’s original request to NANPA or the PA, a copy of the carrier’s Part 1a, a copy of the NANPA or PA response/confirmation Part 3; and

(D) A demonstration that the carrier has a verifiable need for numbering resources and has exhausted all other available remedies designed to conserve numbering resources (examples include, but are not limited to, a copy of the customer request detailing the specific need for telephone numbers and the reason the carrier cannot meet the specific customer request).

(2) Upon request by the commission staff, any carrier that is assigned or has requested numbering resources from the North American Numbering Plan Administrator or the Thousands-Block Pooling Administrator shall provide certain information at the commission’s Jefferson City office to ensure compliance with Federal Communications Commission numbering rules and to monitor and verify the validity and accuracy of carrier utilization data. Such information includes, but is not limited to, all number utilization, number utilization forecast, and historical trend documentation and applications.

AUTHORITY: *sections 386.040, 386.250, 386.310, 392.450, and 392.461, RSMo 2016.* This rule originally filed as 4 CSR 240-28.016. Original rule filed April 12, 2018, effective Dec. 30, 2018. Moved to 20 CSR 4240-28.016, effective Aug. 28, 2019.*

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