

NOTICE OF RULE ADOPTION—FINAL RULE
STATE OF MISSISSIPPI
MISSISSIPPI PUBLIC SERVICE COMMISSION

FILED
SEP 25 2008
MISSISSIPPI
SECRETARY OF STATE

Mississippi Public Service Commission
c/o Brian U. Ray
P.O. Box 1174
Jackson, MS 39215-1174
601-961-5434

Specific Legal Authority Authorizing the promulgation of Rule:

Miss. Code Ann. §§ 77-3-701 et seq.

Reference to Rules repealed, amended or suspended by the Proposed Rule

Rule 28 Rules Implementing the Mississippi Telephone Solicitation Act Sections 100.2, 100.4, 100.5, 100.6(c), 100.6(d), 100.11, 100.12(b), 100.13(c), 100.13(e), 100.14, 100.15 and Section 102.1

Date Rule Proposed: July 1, 2008

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: _

- (1) In order to activate the citizens' desire to be on the No-Call List quicker, we reduced the waiting period for activation.
- (2) We prohibited the selling and transferring of the No-Call List amongst telemarketers.
- (3) We required telemarketers to submit contracted company information.
- (4) In order to more effectively investigate No-Call complaints, we required telemarketers to submit outgoing telephone numbers.
- (5) Affidavits are required from the company stating they would not intentionally block caller ID information.
- (6) Telecommunication providers must submit all disconnected number in order to update the No-Call List.
- (7) Prohibition against calls on legal holidays added.
- (8) All telemarketers and contracted companies are liable for violations.
- (9) Contracted company, and the telemarketer on whose behalf it is calling, must be retained with the call log.
- (10) Detailed information of incoming calls must be retained for six months by the telecommunications company.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date: September 9, 2008
Time: 10:30 am
Place: 1st Floor, Woolfolk State Office Building

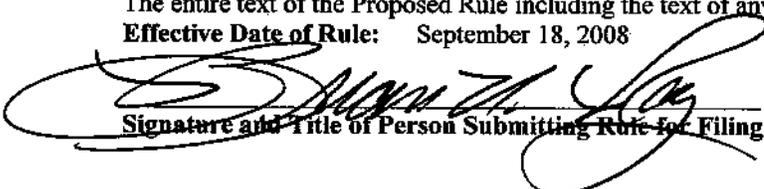
The Agency has considered the written comments and the presentations made in any oral proceedings, and

- This rule as adopted is without variance from the proposed rule.
- This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: September 18, 2008


Signature and Title of Person Submitting Rule for Filing