NOTICE OF RULE ADOPTION – FINAL RULE

FILED
FEB 16 2010
MISSISSIPPI
SECRETARY OF STATE

STATE OF MISSISSIPPI
MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT
OPERATIONS DEPARTMENT

Mississippi State Port Authority at Gulfport
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Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code §§ 59-1-1, 59-1-9, 59-5-5 and 59-5-21

Reference to Rules repealed, amended or suspended by the Proposed Rule: Tariff No. 5 (repealed by Tariff No. 6)

Date Rule Proposed: **January 8, 2010**

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:
The purpose of proposed Tariff No. 6 is to replace Tariff No. 5, which has been amended numerous times, to clarify the currently effective and applicable provisions of Tariff No. 5 and to increase the tariff rates for certain services provided at the State Port at Gulfport to cover the increased cost of providing maritime terminal services at the State Port.

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: {Insert Date}
Time: {Insert Time}
Place: {Insert Place}

✓ An oral proceeding was not held on this rule.

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.

☐ This 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: March 8, 2010

Donald R. Allee

Donald R. Allee, Executive Director
Mississippi State Port Authority at Gulfport